
MUNICIPAL GRANTS

Involved In

WEST CHICAGO CASE,

Together With

INDEX. ABSTRACT OF TIME LIMIT PROVISIONS OF EACH
CONSTRUCTION GRANT, AND CLASSIFICATION OF CON-
STRUCTED LINES IN ACCORDANCE WITH TIME
LIMIT PROVISIONS OF THE GRANTS UNDER
WHICH THEY WERE CONSTRUCTED.

(Revised.)

BARNARD & MILLER PRINT CHICAGO

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I.

INDEX TO MUNICIPAL GRANTS INVOLVED IN WEST SIDE CASE.

	Page.
Armitage Av. from Western Av. to Washtenaw, Vil. of Jefferson.....	Jan. 28, 1878. 126
Armitage Av. from Washtenaw Av. to California, Vil. of Jefferson.....	June 30, 1883. 128
Ashland Av. from North Av. to Clybourn Av. (Pl.)...	May 11, 1885. 100
Aug. 6, 1883 ordinance amending ord. July 30, 1883..	97
Blackhawk St. from Noble to Holt.....	May 11, 1885. 100
Blue Island Av. from Harrison St. to C., B. & Q. tracks (16th St.).....	May 23, 1859. 9
Blue Island Av. from Halsted to Western Av.....	Nov. 18, 1861. 17
Blue Island Av. from Rebecca to 22d....	Feb. 21, 1876. 48
Blue Island Av. from present terminus (22d St.) to Western Av.....	Oct. 14, 1878. 75
Bryan Place (Park St.) from Randolph to Lake.....	May 23, 1859. 9
Cable ordinance, March 30, 1888, see "Power Ordi- nances."	
California Av. from Armitage Av. to North Av., Vil. of Jefferson.....	June 30, 1883. 128
Canal St. from Harrison to Canalport Av.....	March 26, 1877. 60
Canalport Av. from Canal to Halsted..	March 26, 1877. 60
Chicago Av. from north branch to present or future limits.....	Aug. 17, 1864. 31
Chicago Av. from Milwaukee Av. to Western Av...	Oct. 20, 1879. 81
Clinton St. from Randolph to Madison.....	March 28 and July 11, 1864. 28

Clinton St. from Madison to 12th.....	Aug. 17, 1864.	31
Clinton St. from Milwaukee Av. to Randolph.....	Aug. 9, 1875.	44
Clybourn Av. (Pl.) from Ashland Av. to Wood.....	May 11, 1885.	100
Desplaines St. from Lake to Randolph..	Nov. 18, 1861.	17
Division St. from Milwaukee Av. to 200 ft. W. Cal. Av.....	Dec. 7, 1885.	102
Eighteenth St. from Halsted to Oakley Av.....	Dec. 7, 1885.	104
Electricity—see “Power Ordinances.”		
“Exclusion Ordinance” of Nov. 16, 1863.....		20
“Extension Ordinance” of July 30, 1883.....		93
“Extension Ordinance” of July 30, 1883, amended Aug. 6, 1883.....		97
Fifteenth Pl. from Canal to Jefferson....	Aug. 17, 1864.	31
Fifth Av. from Randolph to Polk.....	May 23, 1859.	9
Grand Av. (Indiana St.) from Milwaukee Av. to pres- ent or future limits.....	Aug. 17, 1864.	31
Grand Av. (Indiana St.) from Milwaukee Av. to present or future limits.....	Aug. 9, 1875.	44
Halsted St. from Lake to Blue Island Av.	Nov. 18, 1861.	17
Halsted St. from Lake to Milwaukee Av.....	March 14 and 28, 1864.	24
Halsted St. from Harrison to south branch.....	Aug. 17, 1864.	31
Halsted St. from Harrison to south branch.....	Sept. 25, 1876.	55
Halsted St. from Milwaukee Av. to north branch.....	Aug. 17, 1864.	31
Halsted St. from Milwaukee Av. to north branch.....	March 1, 1886.	111
Harrison St. from Clinton to Canal....	March 26, 1877.	60
Holt St. from Blackhawk to North Av..	May 11, 1885.	100
Indiana St. (Grand Av.) from Milwaukee Av. to pres- ent or future limits.....	Aug. 17, 1864.	31

Indiana St. from Milwaukee Av. to present and future limits.....	Aug. 9, 1875.	44
Jefferson St. from Meagher (15th Pl.) to Van Buren..	Aug. 17, 1864.	31
July 30, 1883, extension ordinance of.....		93
Lake St. from Market to present and future limits....	May 23, 1859.	9
Lake St. from Union Park to Wabash Av.....	Nov. 29, 1880.	85
Lake St. from Rockwell to Central Park.....	Nov. 29, 1880.	85
Lake St. from Homan Av. to Crawford Av.....	July 15, 1886.	115
Leavitt St. from Chicago Av. to Indiana. July 17, 1882.		92
Leavitt St. from 18th to Blue Island Av... Dec. 9, 1885.		109
Madison St. from State to Western Av. Aug. 16, 1858.		1
Madison St. from Rockwell to Central Park.....	June 24 and July 8, 1878.	65
Madison St. from Homan Av. to Hamlin Av.....	Sept. 9, 1878.	73
Market St. from Lake to Madison.....	May 23, 1859.	9
Meagher St., now 15th Pl., which see.		
Milwaukee Av. from Desplaines St. to present and future limits.....	May 23, 1859.	9
Milwaukee Av. from Halsted to Clinton.. Aug. 9, 1875.		44
Milwaukee Av. from Clinton to Lake... Nov. 29, 1880.		85
Milwaukee Av. from city limits (Western Av.) to Washtenaw, Vil. of Jefferson.....	Jan. 28, 1878.	126
Milwaukee Av. from Armitage Av. to Lawrence Av..	March 21, 1892.	118
Noble St. from Milwaukee Av. to Blackhawk.....	May 11, 1885.	100
North Av. from Milwaukee Av. to present and future limits.....	March 8, 1875.	37
North Av. from Holt to Ashland Av... May 11, 1885.		100
Ogden Av. from Madison to Western Av.....	Feb. 28 and July 10, 1876.	51

Ogden Av. from Western Av. to western limits.....	
.....Feb. 7, 1881.	90
Ogden Av. from Madison to Randolph...Dec. 9, 1885.	109
O'Neil St. from Halsted to car barns.....Nov. 27, 1876.	59
Park St., now Bryan Pl., which see.	
Polk St. from Fifth Av. to Canal.....May 23, 1859.	9
Polk St. from Canal to Jefferson.....Aug. 17, 1864.	31
Power ordinance of March 30, 1888—cable.....	130
Power ordinance of March 21, 1892—electricity, etc...	135
Power ordinance of April 30, 1894—trolley.....	137
Power ordinance of May 7, 1894—amendments.....	143-4
Power ordinance of Feb. 4, 1895—trolley on cable lines.	145
Power ordinance of July 27, 1896—trolley on cable lines.	149
Power ordinance of July 27, 1896—trolley in south di- vision	152
Randolph St. from State to Union Park...May 23, 1859.	9
Randolph St. from State to Michigan Av.....	
.....Aug. 26, 1878.	71
State St. from Madison to Lake.....Aug. 16, 1858.	1
Twelfth St. from State to Blue Island Av.....	
.....May 23, 1859.	9
Twelfth St. from Canal to Ashland Av. March 26, 1877.	60
Twelfth St. from Ashland Av. to Ogden Av.....	
.....Aug. 26, 1878.	71
Van Buren St. from State to Ogden Av...May 23, 1859.	9
Van Buren St. from Ogden Av. to Western Av.....	
.....Nov. 13, 1871.	35
Van Buren St. from Western Av. to Kedzie Av.....	
.....Dec. 7, 1885.	107
Wells St., now Fifth Av., which see	
Western Av. from Van Buren to Madison.....	
.....Dec. 23, 1878.	77

II.

ABSTRACT OF TIME LIMIT PROVISIONS OF MUNICIPAL GRANTS INVOLVED IN WEST SIDE CASE.

A. CHICAGO ORDINANCES.

1. Ordinance of Aug. 16, 1858, and amended Dec. 20, 1858, to C. City Ry. Co. pp. 1-7
Twenty-five years from passage and thereafter, until purchase by the city of the railways, their equipment and appurtenances and payment of appraised value thereof.
2. Ordinance of May 23, 1859, and amended Feb. 13, 1860, to C. City Ry. Co. pp. 9-16
During all the term in the act of February 14, 1859, specified and prescribed.
3. Ordinance of November 18, 1861, to C. City Ry. Co. pp. 17-19
No provision as to time limit.
4. Ordinances of March 14, 1864, and March 28, 1864. (Halsted street) pp. 24-7
No express provision as to time limit; "subject to the conditions of the ordinances heretofore passed concerning said railway company (C. W. Div.), or the C. C. Ry. Co."
5. Ordinances of March 28, 1864, and July 11, 1864, (Clinton street) pp. 28-30
No express provision as to time limit; subject to regulations and conditions concerning other railway tracks.
6. Ordinance of August 17, 1864. pp. 31-4
No express provisions as to time limit; subject to ordinances in force respecting railways in the south and west divisions.
7. Ordinance of November 13, 1871. pp. 35-6
No express provisions as to time limit, but all contracts applicable to the line on Van Buren street, east of Ogden avenue (Ord. May 23, 1859), are extended to line authorized.

8. Ordinance of March 8, 1875, and amended April 19, 1875.....pp. 37-43
Until October 1, A. D. 1894, and thereafter until purchase by the city and payment of appraised value.
9. Ordinance of August 9, 1875, and amended August 12, 1875.....pp. 44-7
Time limit twenty years from passage.
10. Ordinance of February 21, 1876.....pp. 48-50
Twenty years from passage, and thereafter until purchase by the city and payment of appraised value.
11. Ordinance of February 28, 1876, as amended by ordinance of July 10, 1876.....pp. 51-54
Twenty years from passage, and thereafter until purchase by city, and payment of appraised value.
12. Ordinance of September 25, 1876.....pp. 55-8
Twenty years from passage, and thereafter until grant by the city to new grantee, and payment of appraised value by such new grantee.
13. Ordinance of November 27, 1876.....p. 59
No express time limit; but upon same terms as are applicable to tracks on South Halsted street (which was ordinance of September 25, 1876.)
14. Ordinance of March 26, 1877.....pp. 60-4
Twenty years from passage, and thereafter until grant by the city to new grantee and payment of appraised value by such new grantee.
15. Ordinance of June 24, 1878, and amended July 8, 1878.....pp. 65-70
Twenty years from passage, and thereafter until grant by the city to a new grantee and payment of appraised value by such new grantee.
16. Ordinance of August 26, 1878.....71-2
Twenty years from passage.
17. Ordinance of September 9, 1878.....pp. 73-4
"Subject to conditions and with rights and privileges applicable to Madison street line east of Homan avenue, for the period of twenty years after the passage of this ordinance."
18. Ordinance of October 14, 1878.....pp. 75-6
"Twenty years from passage, subject to conditions and with the rights and privileges applicable to the Blue Island avenue line, then in operation."

19. Ordinance of December 23, 1878.....pp. 77-80
 Twenty years from passage, and thereafter until grant by the city to a new grantee and the payment of appraised value by such new grantee.
20. Ordinance of October 20, 1879.....pp. 81-4
 Twenty years from passage, and until grant by the city to a new grantee, and payment of appraised value by such new grantee.
21. Ordinance of November 29, 1880.....pp. 85-9
 Twenty years from passage.
22. Ordinance of February 7, 1881.....pp. 90-3
 Twenty years from passage, subject to provisions in ordinance of February 28, 1876, and amendments thereto, and with all privileges applicable to Ogden avenue line from Madison street to Western avenue.
23. Ordinance of July 17, 1882.....p. 92
 Twenty years from passage, upon terms and conditions and with same rights and privileges applicable by existing ordinances to tracks on Chicago avenue and Indiana street.
24. Ordinance of May 11, 1885.....pp. 100-1
 Twenty years from passage; tracks authorized to be held an extension of the Milwaukee avenue line at Noble street, and "subject to the laws and ordinances now in force applicable thereto."
25. Ordinance of December 7, 1885 (Division st.)...pp. 102-3
 Twenty years from passage; to be held as an extension of Milwaukee avenue line at Division street, and "subject to the laws and ordinances then in force and applicable thereto."
26. Ordinance of December 7, 1885 (Eighteenth st.)...pp. 104-6
 Twenty years from passage, as an extension of Halsted street line.
27. Ordinance of December 7, 1885 (Van Buren st.)...pp. 107-8
 Twenty years from passage, "subject, except as herein otherwise provided, to the like terms and conditions as provided by the ordinances heretofore passed, granting the right to construct * * * tracks of said company on Van Buren street east of Western avenue."

28. Ordinance of December 9, 1885.....pp. 109-10
 (a) Ogden avenue line; twenty years from passage; to be held an extension of tracks then operated on Ogden avenue (Ord. Feb. 28, 1876), and subject to laws and ordinances in force applicable thereto.
 (b) Leavitt street line; twenty years from passage; to be held an extension of tracks on Eighteenth street. (Ord. Dec. 7, 1885.)
29. Ordinance of March 1, 1886.....pp. 111-114
 Twenty years from passage.
30. Ordinance of July 15, 1886.....pp. 115-7
 Twenty years from passage.
31. Ordinance of March 21, 1892, to W. C. St. R.R.pp. 118-25
 Twenty years from passage.

B. VILLAGE OF JEFFERSON ORDINANCES.

1. Ordinance of January 28, 1878.....pp. 126-7
 Eighty-one years from passage and approval.
2. Ordinance of June 30, 1883.....pp. 128-9
 Twenty years from passage and approval.

III.

CONSTRUCTED LINES INVOLVED IN THE WEST SIDE CASE, CLASSIFIED ACCORDING TO TIME LIMIT PROVISIONS, OR ABSENCE THEREOF, IN THE SEVERAL MUNICIPAL GRANTS UNDER WHICH THEY WERE CONSTRUCTED.

I.

LINES CONSTRUCTED UNDER ORDINANCES CONTAINING PROVISION FOR OPERATION FOR A FIXED TIME AND THEREAFTER UNTIL PURCHASE BY CITY.

(a)

Under Ordinances Passed Prior to April 23, 1875.

Madison street, from State to Western avenue. (August 16, 1858.)

North avenue, from Milwaukee avenue to California avenue. (March 8, 1875.)

(b)

Under Ordinances Passed Subsequent to April 23, 1875.

Blue Island avenue, from Rebecca to Twenty-second street. (February 21, 1876.)

Ogden avenue, from Madison to Western avenue. (February 28 and July 10, 1876.)

2.

LINES CONSTRUCTED UNDER ORDINANCES CONTAINING PROVISION FOR OPERATION FOR A FIXED TIME, AND THEREAFTER UNTIL NEW GRANT BY CITY AND PURCHASE BY NEW GRANTEE.

*All Under Ordinances Passed Subsequent to April 23,
1875.*

Canal street, from Harrison to Canalport avenue.
(March 26, 1877.)

Canalport avenue, from Canal to Halsted. (March 26,
1877.)

Chicago avenue, from Milwaukee avenue to Leavitt.
(October 20, 1879.)

Halsted street, from Harrison to South Branch. (Sep-
tember 25, 1876.)

Harrison street, from Clinton to Canal. (March 26,
1877.)

Madison street, from Rockwell to Central Park. (June
24 and July 8, 1878.)

Twelfth street, from Canal to Ashland avenue.
(March 26, 1879.)

Western avenue, from Van Buren to Madison. (De-
cember 23, 1878.)

3.

LINES CONSTRUCTED UNDER ORDINANCES CONTAINING
NO EXPRESS PROVISION AS TO TIME LIMIT, BUT REFER-
RING GENERALLY TO ALL ORDINANCES THERETOFORE
PASSED.

All Under Ordinances Passed Prior to April 23, 1875.

Clinton street, from Madison to Randolph. (March
28 and July 11, 1864.)

Clinton street, from Madison to Twelfth street. (Au-
gust 17, 1864.)

Fifteenth place (formerly Meagher street), from Canal
to Jefferson. (August 17, 1864.)

Halsted street, from Lake to Milwaukee avenue.
(March 14 and March 28, 1864.)

Jefferson street, from Fifteenth place to Van Buren.
(Aug. 17, 1864.)

4.

LINE CONSTRUCTED UNDER ORDINANCÉ CONTAINING NO EXPRESS PROVISION AS TO TIME LIMIT, BUT REFERRING TO TERMS AND CONDITIONS OF ANOTHER ORDINANCE CONTAINING PROVISION FOR OPERATION UNTIL PURCHASE BY NEW GRANTEE.

Ordinance Passed Subsequent to April 23, 1875.

O'Neil street, from Halsted to car barns. (November 27, 1876.)

5.

LINES CONSTRUCTED UNDER ORDINANCES EXPRESSLY FIXING TIME LIMIT, BUT REFERRING TO TERMS AND CONDITIONS OF ANOTHER ORDINANCE CONTAINING PROVISION FOR OPERATION UNTIL PURCHASE, EITHER BY CITY OR A NEW GRANTEE.

All Ordinances Passed Subsequent to April 23, 1875.

Leavitt street, from Chicago avenue to Grand avenue.
(July 17, 1882.)

Madison street, from Homan avenue to Hamlin avenue. (September 9, 1878.)

Ogden avenue, from Western avenue to limits (Fortieth avenue). (February 7, 1881.)

6.

LINES CONSTRUCTED UNDER ORDINANCE OF MAY 23, 1859, FIXING TIME LIMIT BY REFERENCE TO ACT OF FEBRUARY 14, 1859.

Blue Island avenue, from Halsted street to Sixteenth street.

Bryan place (formerly Park street), from Lake street to Randolph street.

Fifth avenue, from Randolph street to Polk street.

Lake street, from Bryan place to Western avenue.

Milwaukee avenue, from Desplaines street to North avenue (also, probably, from North avenue to Western avenue).

Polk street, from Fifth avenue to Canal street.

Randolph street, from State street to Bryan place.

Twelfth street, from Wabash avenue to Canal street.

Van Buren street, from State street to Ogden avenue.

7.

LINES CONSTRUCTED UNDER ORDINANCES EXPRESSLY FIXING TIME LIMIT, BUT REFERRING TO ORDINANCE OF MAY 23, 1859, FIXING TIME LIMIT BY REFERENCE TO ACT OF FEBRUARY 14, 1859.

(a)

Ordinance Passed Prior to April 23, 1875.

Van Buren street, from Ogden avenue to Western avenue. (November 13, 1871.)

(b)

Ordinances Passed Subsequent to April 23, 1875.

Ashland avenue, from North avenue to Clybourn place. (May 11, 1885.)

Blackhawk, from Noble to Holt. (May 11, 1885.)

Blue Island avenue, from Twenty-second to Western avenue. (October 14, 1878.)

Clybourn place, from Ashland avenue to Wood street. (May 11, 1885.)

Division street, from Milwaukee avenue to 200 feet west of California. (December 7, 1885.)

Holt street, from Blackhawk to North avenue. (May 11, 1885.)

Noble street, from Blackhawk to North avenue. (May 11, 1885.)

North avenue, from Ashland to Holt. (May 11, 1885.)

Ogden avenue, from Madison street to Randolph street. (December 9, 1885.)

Van Buren street, from Western avenue to Kedzie. (December 7, 1885.)

8.

LINE CONSTRUCTED UNDER ORDINANCES CONTAINING NO PROVISION AS TO TIME LIMIT.

Halsted street, from Lake to Harrison. (November 18, 1861.)

9.

LINES CONSTRUCTED UNDER ORDINANCE EXPRESSLY PROVIDING THAT RIGHTS WILL TERMINATE AT A FIXED TIME.

All Ordinances Passed Subsequent to April 23, 1875.

Armitage avenue, from Western avenue to Washtenaw. (Jefferson, January 28, 1878.)

Armitage avenue, from Washtenaw to California avenue. (Jefferson, June 30, 1883.)

California avenue, from Armitage avenue to North avenue. (Jefferson, June 30, 1883.)

Clinton street, from Milwaukee avenue to Randolph. (August 9, 1875.)

Eighteenth street, from Halsted to Leavitt street. (December 7, 1885.)

Grand avenue (Indiana street), from Milwaukee avenue to Western avenue. (August 9, 1875.)

Halsted street, from Milwaukee avenue to North Branch. (March 1, 1886.)

Lake street, from Union Park to Wabash avenue. (November 29, 1880.)

Lake street, from Rockwell to Central Park (Homan avenue). (November 29, 1880.)

Lake street, from Homan avenue to Crawford avenue. (July 15, 1886.)

Milwaukee avenue, from Halsted to Clinton. (August 9, 1875.)

Milwaukee avenue, from Clinton to Lake. (November 29, 1880.)

Milwaukee avenue, from Western avenue to Armitage. (Jefferson, January 28, 1878.)

Milwaukee avenue, from Armitage avenue to Belmont. (March 21, 1892.) (W. C. St. R. R. Co.)

Twelfth street, from Ashland avenue to Ogden avenue. (August 26, 1878.)

Randolph street, from State to Michigan avenue. (August 26, 1878.)

10.

LINE CONSTRUCTED UNDER ORDINANCES EXPRESSLY FIXING TIME LIMIT, BUT REFERRING TO TERMS AND CONDITIONS OF ANOTHER ORDINANCE PROVIDING THAT RIGHTS WILL TERMINATE AT A FIXED TIME.

Leavitt street, from Eighteenth street to Blue Island avenue. (December 9, 1885.)

AN ORDINANCE AUTHORIZING THE CONSTRUCTION AND
OPERATION OF CERTAIN HORSE RAILWAYS IN THE
STREETS OF THE CITY OF CHICAGO. (Passed August
16, 1858.)

*Be It Ordained by the Common Council of the City of
Chicago:*

SECTION 1. That there is hereby granted to Henry Fuller, Franklin Parmalee and Liberty Bigelow, and such other persons as may hereafter become associated with them, and to their executors, administrators and assigns, permission and authority and consent of the common council to lay a single or double track for a railway, with all necessary and convenient tracks for turnouts, sidetracks and switches, in and along the course of certain streets in the City of Chicago hereinafter mentioned, and to operate railway cars and carriages thereon in the manner and for the time and upon the conditions hereinafter prescribed; provided, that said tracks shall not be laid within twelve feet of the sidewalks upon any of the streets.

SEC. 2. That said parties are hereby authorized to lay a single or double track for a railway in and along the course of the following streets in said city, and extending the same as follows: Commencing on State street, at the south side of Lake street; thence south to the present city limits. Also, commencing on State street, at the junction of Ringgold place; thence on Ringgold place to Cottage Grove avenue, thence on Cottage Grove avenue to the present limits of the City of Chicago. Also, commencing on State street, at the junction of the Archer road; thence along the said Archer road to the present

limits of the city. Also, commencing on State street, at the intersection of Madison street, and extending west along said Madison street to the present city limits.

SEC. 3. The cars to be used upon said tracks shall be operated with animal power only; and said railways shall not connect with any other railroad on which other power is used, and no railway car or carriage used upon any other railroad in this state shall be used or passed upon said tracks.

SEC. 4. The said tracks and railways shall be used for no other purpose than to transport passengers and their ordinary baggage, and the cars or carriages used for that purpose shall be of the best style and class in use on such railways. The common council shall have power at all times to make such regulations as to the rate of speed and time of running said cars or carriages as the public safety and convenience may require.

SEC. 5. The tracks of said railways shall not be elevated above the surface of the street; shall be laid with modern improved rails, and shall be so laid that carriages and other vehicles can easily and freely cross said tracks at any and all points, and in any and all directions, without obstruction.

SEC. 6. The rate of fare for any distance shall not exceed five cents, except when cars or carriages shall be chartered for a specific purpose.

SEC. 7. The said parties, their associates and successors, shall pay one-third of the cost of grading, paving macadamizing, filling or planking on the streets or parts of streets on which they shall construct their said railways, and in the respects last mentioned shall keep such portion of the respective streets as shall be occupied by

their said railways, or either of them, in good repair and condition during the whole time that the privileges hereby granted to said parties shall extend, in accordance with whatever orders may be passed in that behalf by the common council of the said City of Chicago; and said parties shall be liable for all legal or consequential damages which may be sustained by any person by reason of the carelessness, neglect or misconduct of any agent or servant of said parties, in the course of their employment in the construction or the use of the said tracks or railways, and said parties shall moreover pay to the property owners on any street so used by them as aforesaid for their said railways, which has since the first day of January, A. D. 1858, been paved, macadamized or planked and at any time between said date last mentioned and the time of going into the occupation of either of said respective streets with the said railway by said parties, their associates or successors, may be paved, macadamized or planked, one-third of the reasonable cost and expense thereof so paid by said property owners, respectively.

SEC. 8. The rights and privileges granted to said parties by virtue of this ordinance shall be forfeited to the City of Chicago unless the construction of one of said railways shall be commenced on or before the first day of November, A. D. 1858; and unless the said railway commencing on the south side of Lake street and extending to Ringgold place shall be fully completed and ready for use on or before the fifteenth day of October, A. D. 1859; and the Madison street railway, commencing at the intersection of State street, and running on said Madison street to the city limits, completed and ready for use on or before the fifteenth day of October, A. D. 1860; and said railway from Ringgold place to Cottage Grove

avenue, and along the same to the city limits, by the first day of January, A. D. 1861, and all the remaining railways hereinbefore mentioned, on or before the first day of January, A. D. 1863, the said railways, together with all improvements made upon the same, shall be forfeited to said City of Chicago, unless the common council of said city shall grant to said parties a further extension of time; provided, that if said parties are delayed by the order or injunction of any court, the time of such delay shall be excluded, and the same time, in addition to the periods above prescribed, shall be allowed for the completion of said railways as that during which they may be so delayed.

SEC. 9. If the said parties, their associates or successors shall hereafter become incorporated; the rights and privileges granted to them by virtue of this ordinance shall extend to such corporation for the time and upon the conditions herein prescribed, and when such act of incorporation shall have been obtained, such corporation shall have all the rights and privileges hereby granted as the successors of said parties, without further action of the common council.

SEC. 10. The right to operate said railways shall extend to the full time of twenty-five years from the passage hereof, and at the expiration of said time the parties operating said railways shall be entitled to enjoy all of said privileges until the common council shall elect, by order for that purpose, to purchase said tracks of said railways, cars, carriages, station houses, station grounds, depot grounds; furniture and implements of every kind and description, used in the construction or operation of said railways, or any of the appurtenances in and about the same; and pay for the same in the manner hereinafter mentioned.

SEC. 11. Such order shall fix the time when said City of Chicago will take such railways and other property before mentioned, which shall not be less than six months after the passage of said order, and at the time of taking said railways and other property before mentioned the City of Chicago shall pay to the parties operating the same a sum of money to be ascertained by three commissioners, to be appointed for that purpose, as follows: One to be chosen from the disinterested freeholders of Cook County by the said common council, one in like manner by the said parties, their associates or successors and the two persons so chosen to choose the third from said freeholders.

SEC. 12. All rights heretofore vested in the board of water commissioners and sewerage commissioners, or other corporations, are not to be impaired or affected by this ordinance, but the rights and privileges hereby granted are subject thereto.

SEC. 13. The said Henry Fuller, Franklin Parmalee and Liberty Bigelow shall enter into a good and sufficient bond with the City of Chicago, in the penal sum of twenty-five thousand dollars, for the faithful performance of all the terms and conditions herein contained in this ordinance, and that said railways herein mentioned shall be completed at the times and manner herein stated, unless delayed by the order or injunction of some court having jurisdiction of such matters, from so completing the same, and until such bond shall be so executed by said parties, this ordinance shall have no force or effect whatever.

SEC. 14. All ordinances or parts of ordinances heretofore passed, respecting the subject-matter of this ordi-

nance (except that to which this is an amendment), or in conflict with this ordinance, or that to which the same is an amendment, is hereby repealed.

(Special Ordinances, pp. 1042-5.)

AN ORDINANCE TO AMEND AN ORDINANCE, ENTITLED
 "AN ORDINANCE AUTHORIZING THE CONSTRUCTION
 AND OPERATION OF CERTAIN HORSE RAILWAYS IN THE
 STREETS OF THE CITY OF CHICAGO." (Passed Decem-
 ber 20, 1858.)

*Be it Ordained by the Common Council of the City of
 Chicago:*

SECTION 1. That sections seven and thirteen of the
 above entitled ordinance be so amended as to read as
 follows, viz.: That section seven be so amended as to
 read: That said parties and their associates shall, as
 respects the grading, paving, macadamizing, filling or
 planking of the streets or parts of streets upon which
 they shall construct their said railways, or any of them,
 keep so much of said respective streets as shall be occu-
 pied by the said railways, or either of them, in good
 repair and condition during all of the time to which the
 privileges hereby granted to said parties shall extend, in
 accordance with whatever orders or regulations respect-
 ing the ordinary repairs thereof may be passed or adopted
 by the common council of said city; and the said parties
 shall be liable for all the legal consequential damages
 which may be sustained by any person by reason of the
 carelessness or misconduct of any of the agents or serv-
 ants of the said parties, in the course of their employment
 in the construction or use of the railways aforesaid, or
 either of them. And section thirteen be so amended as
 to read: The said Henry Fuller, Franklin Parmalee and
 Liberty Bigelow shall enter into a penal bond, in the sum
 of twenty-five thousand dollars, with the said City of
 Chicago, conditioned for the faithful performance of all
 the terms and conditions in the said above entitled ordi-

nance, as hereby amended, are contained and set forth, and that the railways aforesaid shall be completed at the time and in the manner in the aforesaid ordinance specified, unless delayed by the order or injunction of some court of competent jurisdiction from so completing the same. And the giving of the bond above mentioned shall supersede the bond heretofore given by said parties under the original ordinance aforesaid, and the same shall be surrendered up and canceled.

(Special Ordinances, p. 1045.)

AN ORDINANCE AUTHORIZING THE EXTENSION AND OPERATION OF CERTAIN HORSE RAILWAYS IN THE STREETS OF THE SOUTH AND WEST DIVISIONS OF CHICAGO.
(Passed May 23, 1859.)

Be it Ordained by the Common Council of the City of Chicago:

SECTION 1. That under and by virtue of an Act of the Legislature of the State of Illinois, entitled: "An Act to promote the construction of horse railways in the City of Chicago," approved the 14th day of February, A. D. 1859, constituting Franklin Parmalee, Liberty Bigelow, Henry Fuller and David A. Gage, and their successors, a body corporate and politic, by the name of "The Chicago City Railway Company," and by virtue of the powers and authority in the said common council otherwise by law vested, consent, permission and authority are hereby unto the said "The Chicago City Railway Company" given, granted and duly vested, to lay a single or double track for a railway, with all necessary and convenient tracks for turn-outs, side-tracks and switches, in and along the course of the streets and bridges of the south and west divisions of the City of Chicago hereinafter mentioned; and the same to keep, maintain and use, and to operate thereon railway cars and carriages, during all the term in the said act of the fourteenth of February, A. D. 1859, specified and prescribed, in the manner and upon the conditons hereinafter prescribed; provided, that said tracks shall not be laid within twelve feet of the sidewalk upon any of the streets hereinafter mentioned, in any case wherein it is practicable to be avoided.

SEC. 2. The said company is hereby as above men-

tioned, authorized to lay a single or double track for such railways in and along the course of the following streets of said south and west divisions of Chicago, and to extend the same as follows :

Commencing on Lake street, at the intersection of said Lake street with the east line of Market street, and thence west, with a single or double track, in and along the course of said Lake street, to Lake street bridge; thence westerly with a single or double track, over said bridge, and in and along the course of said Lake street, to the present and future limits of the city.

Commencing on Randolph street, at the intersection with the State street railway, and thence west, with a single or double track, in and along the course of said Randolph street, to Union Park; thence in and along Park street to intersect with the said Lake street track.

Commencing on Desplaines street and intersecting with the said Lake street track, and thence northerly, with a single or double track, in and along the course of said Desplaines street to Milwaukee avenue, and thence in and along the course of said Milwaukee avenue to the present and future city limits.

Commencing on Canal street, at the point of intersection with said Lake street track, and thence southerly, with a single or double track, in and along the course of said Canal street, to intersect with the track to be upon Polk street, as hereinafter mentioned.

Commencing on Harrison street, at the intersection with Canal street aforesaid, thence westerly, with a single or double track, in and along said Harrison street to the southwestern plank road.

Commencing on Market street, at the intersection with

Lake street railway aforesaid, thence southerly, with a single or double track in and along the course of said Market street, to intersect with the Madison street railway.

Commencing on South Wells street, at the intersection with the said Randolph street track, and thence southerly, with a single or double track, in and along the course of said Wells street, to Polk street; thence westerly, with a like track, in and along the course of said Polk street, to Canal street as aforesaid; and thence southerly, with a like track, in and along the course of said Canal street, to the Chicago, Burlington & Quincy Railroad.

Commencing on South Clark street, at a point intersecting said Randolph street track, and thence southerly, with a single or double track, in and along the course of said Clark street, to Polk street; and thence westerly, with a like track, in and along the course of said Polk street, to Wells street.

Commencing on State street, at the intersection of Van Buren street, thence westerly, on Van Buren street, and in and along said Van Buren street, to the southwestern plank road.

Commencing on Harrison street, at its intersection with Canal street, and thence, with a like track, in and along said Harrison street, to Blue Island avenue; and thence with a like track, in and along the course of said Blue Island avenue, to the Chicago, Burlington & Quincy Railroad.

Commencing on Twelfth street, at the intersection with State street railway, and thence easterly with a single or double track, in and along the course of said Twelfth street, to Wabash avenue; thence south, with a like track,

in and along the said Wabash avenue, to Old street; thence in and along said Old street to Indiana avenue; thence in and along Indiana avenue to intersect with the Cottage Grove railway.

Also commencing on Twelfth street, at the intersection of State street, thence westerly, in and along said Twelfth street, with a like track, to the intersection of Blue Island avenue.

SEC. 3. The said railway upon Randolph street, as aforesaid, is to be completed from said State street to Union Park aforesaid within three months, and from said Union Park to Robey street, within five months after the passage of this ordinance. The said railway upon Lake street as aforesaid to be completed from said Market street to Union Park, as aforesaid; that upon South Wells street, as aforesaid, to be completed from Randolph to Polk street aforesaid; and that upon South Clark street, as aforesaid, is to be completed from said Randolph street to said Van Buren street, and in and along Van Buren street to the southwestern plank road, severally, within eighteen months from the passage of this ordinance. And the said railway upon Canal street is to be extended and completed to the Chicago, Burlington & Quincy Railroad, and the said railways on Harrison street to Blue Island avenue, and on Blue Island avenue southerly to Twelfth street, are to be completed within one year from the passage of this ordinance. And the said railways upon Desplaines street and Milwaukee avenue are to be extended and completed to the city limits before the first day of the next session of the Legislature of this State. The other of said railways included in the second section aforesaid, and not above in this section specified, shall be completed as soon after the passage hereof as may be

practicable, but whenever the common council shall determine that the public interest requires any one of said railways last mentioned to be constructed or extended, and shall by ordinance direct that such railway shall be constructed or extended as the case may be, then said company shall be required to complete such construction or extension in sixty days after being notified of such ordinance; provided, however, that such ordinance shall include but one street only; that then there shall be an interval of at least three months between such ordinances, and that the same shall not be made at an unseasonable time of year for doing such work.

SEC. 4. The cars to be used upon said tracks shall be operated with animal power only, and shall not connect with any other railroad on which other power is used, and no railway car, or carriage used upon any other railroad in this state, shall be used upon any of said tracks.

SEC. 5. The said tracks and railways shall be used for no other purpose than to transport passengers and their ordinary baggage, and the cars and carriages for that purpose shall be of the best style and class in use on such railways. The common council shall have power at all times to make such regulations as to the rate of speed and time of running said cars or carriages as the public safety and convenience may require.

SEC. 6. The track of any such railways shall not be elevated above the surface of the street; shall be laid with modern improved rails, and shall be so laid that carriages and other vehicles can easily and freely cross said tracks, at any and all points, and in any and all directions, without obstruction; provided, whenever the said railway company construct two tracks on the same street, that the

said tracks shall be constructed perfectly parallel, as far as practicable.

SEC. 7. The rate of fare for any distance shall not exceed five cents, except when cars or carriages shall be chartered for special purposes.

SEC. 8. The said company shall, as respects the grading, paving, macadamizing, filling or planking of the streets or parts of streets upon which they shall construct their said railways, or any of them, keep eight feet in width along the line of said railway, on all streets whereon one track is constructed, and sixteen feet in width along the line of said railway where two tracks are constructed, in good repair and condition during all the time to which the privileges hereby granted to said company shall extend, in accordance with whatever order or regulation respecting the ordinary repairs thereof, may be passed or adopted by the common council of said city. And the said company shall be liable for all legal consequential damages which may be sustained by any person by reason of the carelessness, negligence or misconduct of any of the agents or servants of said company in the course of their employment in the construction or use of the railways aforesaid, or any or either of them.

SEC. 9. If the said company shall fail to complete any of the aforesaid railways, in said second section mentioned, at the time mentioned and provided, and according to the conditions prescribed in the third section of this ordinance, then the rights and privileges granted by virtue hereof respecting said railways, in the said section mentioned, shall be forfeited, together with all or any improvements made upon any of the said railways, to the City of Chicago, unless the common council of said city shall grant to said company a further extension of time;

provided, that if said company is delayed by the order or injunction of any court, the time of such delay shall be excluded from the time above prescribed.

SEC. 10. All rights heretofore vested in the board of water commissioners and sewerage commissioners, or other corporations, are not to be impaired or affected by anything herein contained, but the rights and privileges hereby granted are subject thereto.

SEC. 11. All the rights and privileges heretofore granted, or intended to be granted to the said Franklin Parmalee, Liberty Bigelow and Henry Fuller, by an ordinance, entitled: "An ordinance authorizing the construction and operation of certain horse railways in the streets of the City of Chicago," or any amendment thereto, are hereby granted and confirmed to the said "The Chicago City Railway Company," and its successors.

SEC. 12. The said Franklin Parmalee, Liberty Bigelow, Henry Fuller and David A. Gage, shall enter into a bond with the City of Chicago in the penal sum of _____ dollars, conditioned for the faithful performance by said company, of all the terms and conditions of this ordinance, and that the railways aforesaid shall be completed at the time and in the manner in this ordinance specified, unless delayed by the order or injunction of some court of competent jurisdiction from so completing the same. And until such bond is made by the said parties, this ordinance is to have no force or effect whatever.

(Special Ordinances, pp. 1046-50.)

AN ORDINANCE AMENDATORY OF THE ORDINANCE ENTITLED, "AN ORDINANCE AUTHORIZING THE EXTENSION AND OPERATION OF CERTAIN HORSE RAILWAYS IN THE STREETS OF THE SOUTH AND WEST DIVISIONS OF CHICAGO," PASSED MAY 23, 1859. (Passed February 13, 1860.)

Be it Ordained by the Common Council of the City of Chicago:

SECTION 1. That the third section of the ordinance entitled, "An ordinance authorizing the extension and operation of certain horse railways in the streets of the south and west divisions of Chicago," be and the same is hereby so amended that the time for the construction of the railway track on Clark street in said ordinance mentioned be extended for the period of ten years, and that the time for the construction of the several railways, and each and every one thereof in said section mentioned or referred to, be extended for the period of five years beyond the time mentioned in said ordinance for the completion thereof; Provided, however, that the Blue Island avenue and the Milwaukee avenue lines shall severally be completed within the period of two years from the passage of this ordinance.

(Special Ordinances, p. 1050.)

AN ORDINANCE EXEMPTING CANAL STREET AND OTHER
STREETS FROM RAILWAY USES, BY SUBSTITUTION, AND
FOR OTHER PURPOSES. (Passed November 18, 1861.)

*Be it Ordained by the Common Council of the City
of Chicago:*

SECTION 1. That in consideration of the extending by the Chicago City Railroad Company of its railway upon West Lake street, from Robey street to the west limits of the city within ninety days from the passage hereof, and the release and surrender by said company of any and all right to lay down a railway track along the course of either Canal street, Harrison street or Lake street from the east line of Market street to the same line of Desplaines street, and which said streets so released the said city is to preserve and keep at all times free from any such railway; authority and consent are hereby given and granted unto said company to lay down and use a single or double track for a railway with all necessary and convenient tracks for turn-outs and switches in and upon Desplaines street, from Lake street aforesaid to Randolph street, and in, upon and along Halsted street from said Lake street southerly to Blue Island avenue, and thence on Blue Island avenue to the city limits; but which last mentioned railway on said Halsted street and Blue Island avenue, said company shall not be required to construct at any time within three years from the passage hereof.

SEC. 2. That the ordinance entitled, "An ordinance authorizing the construction and operation of certain horse railways in the streets of the City of Chicago," passed August 16, 1858, and also the ordinance entitled, "An ordinance authorizing the extension and operation

of certain horse railways in the streets of the south and west divisions of Chicago," passed May 23, 1859, and all amendments thereof, be and the same are hereby so amended as that the time therein prescribed for the construction of the several railways therein mentioned, except said West Lake street from Robey to the city limits aforesaid, and also excepting the railway upon Desplaines street and Milwaukee avenue north of Lake street aforesaid, is extended for the period of five years. That both as to the construction and maintenance of each and every of the aforesaid railways, said company shall use suitable rails of not less than a five-inch flange (except on Lake street west of Robey street), for the purpose; shall avoid the unnecessary elevation of their tracks above the surface of the street, and so lay, or where laid, so maintain the same as not necessarily to obstruct the passage of carriages or vehicles over them, or to impair the usefulness of the street whereupon they are laid; shall run cars or carriages thereon of a suitable style and description, and at all such times and rate of speed as the public convenience and safety shall to it seem to require.

SEC. 3. That if the said company shall fail to construct any portion of the railways aforesaid within the time prescribed for doing the same, it shall thereupon forfeit all right to such portion; and if it fail to construct said railway on West Lake street from Robey street to the city limits within ninety days, as aforesaid, it shall thereupon forfeit all and singular the rights, privileges and extension of time by this ordinance granted, conferred or intended, and all parts of the several ordinances aforesaid, inconsistent with any of the provisions of this ordinance are hereby repealed; provided, that if said company shall be delayed by the order or injunc-

tion of any court of competent jurisdiction from completing any of the railways aforesaid, the time of such delay shall be excluded from the period prescribed herein for completing the same.

(*Special Ordinances, pp. 1051-2.*)

AN ORDINANCE FOR THE PRESERVATION OF CERTAIN
STREETS OF CHICAGO FROM RAILWAY USES. (Passed
November 16, 1863.)

*Be it Ordained by the Common Council of the City
of Chicago:*

SECTION 1. That whereas, by an act of the General Assembly of the State of Illinois, entitled, "An Act to promote the construction of horse railways in the City of Chicago," approved February 14, 1859, and by an ordinance of the common council of the said city entitled, "An Ordinance authorizing the construction and operation of certain horse railways in the streets of the City of Chicago," passed August 16, 1858, and also by a certain other ordinance of said city, in pursuance of the act aforesaid, entitled, "An Ordinance authorizing the extension and operation of certain horse railways in the streets of the south and west divisions of Chicago," passed May 23, 1859; and also by an ordinance of said city, entitled, "An Ordinance exempting Canal street and other streets from railway uses by substitution, and for other purposes," passed November 18, 1861, authority and consent were and are duly granted to, vested in and accepted by the Chicago City Railway Company and its assigns, to construct single or double track horse railways, in, upon, and along certain streets of said city, and to use the same for the period in said ordinances mentioned, among which said streets so mentioned are Wabash avenue and Lake street; and whereas, it is deemed and considered by the common council of said city that the permanent interest and welfare of said city demand the exclusion of all such railways from said Wabash avenue and from all of said Lake street, east

of the east line of Peck street and from certain other streets hereinafter named, and that the same shall be kept at all times free from such railways, and that no other railways than those above authorized should be permitted upon the streets in said ordinances mentioned, or those wherein they are now in use; whereas, also the Chicago West Division Railway Company in pursuance of an act of said general assembly, entitled, "An act to authorize the extension of horse railways in the City of Chicago," approved February 21, 1861, has acquired by contract with the said Chicago City Railway Company, all such right to use said streets as was and hereby is granted to said last named company, as aforesaid, as to all the streets in said west division and certain of the streets in the south division of Chicago, in said ordinances mentioned; and the said respective railway companies are now willing to give up and effectually to surrender to the City of Chicago any and all right to construct or use any railway along the course of any portion of said Wabash avenue or of said Lake street, east of the east line of Peck street; and also each of said corporations to enter into covenant under their respective corporate seals, to and with the City of Chicago, to absolutely refrain for all time hereafter from constructing or using any railway along the course of either of said streets as last named, or of Michigan avenue, Third avenue, Washington street, Monroe street, Adams street or West Jackson street (except necessary crossings of said streets), upon condition that the railways of all other persons or corporations shall likewise be excluded therefrom; now, therefore, in consideration of all and singular the premises of said release and surrender, as aforesaid, and of the making of the covenant by the said respective railway companies, as aforesaid, the said common council

do by virtue and in pursuance of the said acts of the General Assembly of the State of Illinois, and the powers therein otherwise vested by law, and for the promotion of the permanent interests of said city, ordain and declare that no railway track shall be constructed or used for or during the period of twenty years next hereafter, along the course of either Michigan avenue, Wabash avenue, Third avenue, Washington street, Lake street east of the east line of Peck street, Monroe street, Adams street or West Jackson street, or along any part or portion of the course thereof, nor shall the railway of any person or corporation, other than those above named and authorized, as aforesaid, be constructed or used in, upon or along any of the several streets in said ordinances mentioned.

SEC. 2. That if any person or corporation shall enter upon either said Michigan avenue, Wabash avenue, Third avenue, Washington street, Lake street, east of the east line of Peck street, Monroe street, Adams street or West Jackson street, or any portion of the same (except at their crossings), or dig up any portion of said several streets, or bring upon any portion thereof any timber, ties, rails or other materials, with the intention of constructing any railway track along the course, in or upon either of said streets, said person or corporation, and all who shall be aiding or abetting, shall be subject to a fine of one hundred dollars for each and every offense.

SEC. 3. This ordinance shall not be construed to create any obligation, either express or implied, which shall in any event render the said City of Chicago liable to any action or claim for damages at the suit of either of the horse railway companies hereinbefore mentioned, or their successors or assigns.

SEC. 4. This ordinance shall be in force and take effect as soon as the same shall have been duly accepted by the said Chicago City Railway Company and the Chicago West Division Railway Company, and the covenants hereinbefore mentioned shall have been duly executed by said companies respectively.

(Special Ordinances, pp. 1053-5.)

AN ORDINANCE FOR RELEASING OF NORTH DESPLAINES STREET FROM RAILWAY USES, AND THE SUBSTITUTION OF NORTH HALSTED STREET. (Passed March 14, 1864.)

Be it Ordained by the Common Council of the City of Chicago:

1. *North Halsted street substituted for North Desplaines street.*] § 1. That because of the numerous steam railway tracks now laid and in use on Kinzie street, whereby a horse railway upon said Desplaines street would be seriously obstructed in its connection with that upon Milwaukee avenue, and made both dangerous and inconvenient to the public, and in consideration of the release by the Chicago West Division Railway Company to the City of Chicago of any and all right to use said Desplaines street for railway purposes, authority and consent are hereby given and granted unto said railway company to remove its railway tracks from said Desplaines street and to lay down and use a double track for a railway, with all necessary or convenient tracks for curves, turn-outs and switches, in and upon said North Halsted street, from the south line of West Lake street to the north line of Milwaukee avenue, subject to the conditions of the ordinances heretofore passed concerning said railway company or the Chicago City Railway Company, and all ordinances which may be hereafter passed concerning said West Division Railway Company; Provided, that no authority is hereby or shall be given to said company to construct or operate a single track on said North Halsted street.

2. *Street improvements and repairs.*] § 2. The said Chicago West Division Railway Company, its successors

or assigns, as respects grading, paving, macadamizing, filling or planking, shall at their own expense keep sixteen feet in width in repair on said North Halsted street, so far as the same is embraced in this ordinance, and keep their tracks in such condition that wagons, carriages and other vehicles can pass and repass at any and all points, and in any and all directions, and shall be subject to assessment for paving, repaving, planking, replanking or any other kind of new improvement which may by ordinance be ordered at any time by the common council.

3. *Removal of tracks—restoration of street.*] § 3. The said railway company shall remove its track from said Desplaines street, and restore said street to its former state within thirty days from the time of the approval of this ordinance, and shall also within three months from said time construct a railway on said Halsted street, from the south line of said Lake street to said Milwaukee avenue, unless restrained by the order or injunction of some court of competent jurisdiction from so doing; and in case said company shall fail to remove said track from said Desplaines street, and construct a railway on Halsted street according to the provisions of this ordinance, then the same shall forfeit all the rights and privileges by this ordinance granted or conferred.

4. *When in force.*] 4. This ordinance shall be in force from the time of the execution of the said release by the said the Chicago West Division Railway Company, under the hands of its proper officers and corporate seal, and the delivery thereof to the clerk of the City of Chicago.

(*Special Ordinances, pp. 1317-9.*)

AN ORDINANCE FOR THE RELEASING OF NORTH DESPLAINES STREET FROM RAILWAY USES, AND THE SUBSTITUTION OF NORTH HALSTED STREET. (Passed March 28, 1864.)

Be it Ordained by the Common Council of the City of Chicago:

SECTION 1. That because of the numerous steam railway tracks now laid and in use on Kinzie street, whereby a horse railway upon said Desplaines street would be seriously obstructed in its connection with that upon Milwaukee avenue, and made both dangerous and inconvenient to the public, and in consideration of the release by the Chicago West Division Railway Company to the City of Chicago of any and all right to use said Desplaines street for railway purposes, authority and consent are hereby given and granted unto said railway company to remove its railway tracks from said Desplaines street, and to lay down and use a double track for a railway, with all necessary or convenient tracks for curves, turn-outs and switches, in and upon North Halsted street, from the south line of West Lake street to the north line of Milwaukee avenue, subject to the conditions of the ordinances heretofore passed concerning said railway company or the Chicago City Railway Company; provided, that no authority is hereby or shall be given to said company to construct or operate a single track on said North Halsted street.

SEC. 2. The Chicago West Division Railway Company, its successors or assigns, as respects grading, paving, macadamizing, filling or planking, shall, at their own expense, keep sixteen feet in width in repair on said North Halsted street, so far as the same is embraced in this

ordinance, and keep their tracks in such condition that wagons, carriages and other vehicles can pass and repass at any and all points, and in any and all directions, and shall be subject to assessment for paving, repairing, planking, replanking or any other kind of new improvement which may by ordinance be ordered at any time by the common council on said Halsted street.

SEC. 3. The said railway company shall remove its track from said Desplaines street, and restore said street to its former state within thirty days from the time of the approval of this ordinance, and shall also within three months from said time construct a railway on said Halsted street, from the south line of said Lake street to said Milwaukee avenue, unless restrained by the order or injunction of some court of competent jurisdiction from so doing; and in case said company shall fail to remove said track from said Desplaines street, and construct a railway on Halsted street according to the provisions of this ordinance, then the same shall forfeit all rights and privileges by this ordinance granted or conferred.

SEC. 4. This ordinance shall be in force from the time of the execution of the said release by the said Chicago West Division Railway Company, under the hands of its proper officers and corporate seal, and the delivery thereof to the clerk of the City of Chicago.

(Special Ordinances, pp. 1320-1.)

AN ORDINANCE AUTHORIZING TEMPORARY HORSE RAILWAY TRACKS ON CLINTON STREET, BETWEEN MADISON AND RANDOLPH STREETS. (Passed March 28, 1864.)

Be it Ordained by the Common Council of the City of Chicago:

SECTION 1. That the West Division Railway Company is hereby authorized to lay a single or double track for a railway on Clinton street, between Madison and Randolph streets, and to operate the same in connection with the horse railroads of said company now on Randolph and Madison street; Provided, that said railway track shall be continued only during the construction of the proposed new bridge across the Chicago river at Randolph street, and that when said bridge is completed the said track shall be removed by said company and the said street be by them restored to as good condition as before being occupied by said track; and provided, further, that the said railway company, in the laying, maintaining and operating said temporary railway, shall be subject to all the general liabilities, regulations and conditions concerning the same, during its continuance in said street, as herein above provided, as by the laws of the state and the ordinances of the City of Chicago are imposed on said company concerning other railway tracks operated by them in the City of Chicago.

SEC. 2. The said temporary railway track shall be laid by the said West Division Railway Company, under the direction of the board of public works, subject, however, to any regulation, as to the manner of laying the track, required by any existing ordinance of this city.

SEC. 3. Should the said company, its successors or

assigns, fail or neglect to remove the said temporary railway track or tracks and superstructure from off said Clinton street, within the first twenty days next ensuing the day on which the proposed new bridge at Randolph street shall be completed and in general use, the said company, its successors or assigns, shall, for each and every day after the lapse of said twenty days that the said railway track or tracks and superstructure are allowed to be and remain upon said Clinton street, be fined in the sum of fifty dollars to be collected as other fines.

SEC. 4. This ordinance shall take effect and be in force from and after its passage and due publication.

(Special Ordinances, pp. 1319-20.)^{*}

AN ORDINANCE AMENDING ORDINANCES OF MARCH 28, 1864, CONCERNING HORSE RAILWAYS ON CLINTON STREET AND ON NORTH DESPLAINES STREET. (Passed July 11, 1864.)

Be it Ordained by the Common Council of the City of Chicago:

1. *Clinton street.*] § 1. That the ordinance entitled, "An ordinance authorizing temporary horse railway tracks on Clinton street between Madison and Randolph streets," passed March 28, 1864, be so amended as that the third section and the provisions of said ordinance for a temporary use only of said Clinton street be and the same are hereby repealed.

2. *North Desplaines street.*] § 2. That all the provisions and conditions contained in the second section of an ordinance, entitled, "An ordinance for the releasing of North Desplaines street from railway uses, and the substitution of North Halsted street," passed March 28, 1864, so far as the same applies to said Halsted street, be and the same is hereby applied to said railway on Clinton street.

3. *When to take effect.*] § 3. This ordinance shall take effect from and after its passage.

(Special Ordinances, p. 1322.)

AN ORDINANCE CREATING NEW LINES OF HORSE RAILWAYS, EXTENDING OTHERS, AND REGULATING THE USE THEREOF. (Passed August 17, 1864.)

Be it Ordained by the Common Council of the City of Chicago:

SECTION 1. That in consideration of the acceptance hereof and the undertaking by the Chicago West Division Railway Company to comply with the provisions of this ordinance, authority and consent is hereby given and granted unto the said the Chicago West Division Railway Company, its successors and assigns, to construct, lay down, operate and maintain horse railways, with the necessary side tracks and switches, in the manner and upon and along the several streets hereinafter mentioned. Commencing on Clinton street, at its intersection with Madison street, and running south, with a single or double track, to Harrison street; thence south, with a single track only, to Twelfth street. Commencing on Meagher street, at its intersection with Canal street, and running west, with a single or double track, to Jefferson street; thence north, on Jefferson street, with a single or double track, to Twelfth street; thence north, with a single track only, to Harrison street; thence north, with a single or double track, to Van Buren street. Commencing on Chicago avenue, at the river, so as to connect with the track of the North Chicago City Railway Company, and running west, with a single or double track, to the present or future city limits. Commencing on West Indiana street, at its intersection with Milwaukee avenue, and running west, with a single or double track, to the present or future city limits. Commencing on Catherine street, at its intersection with Blue Island ave-

nue, and running west, with a single or double track, to Robey street. Commencing on Polk street at the east line of Canal street, and running west, with a single or double track, to Jefferson street. Commencing on Desplaines street, at its intersection with Van Buren street, and running south, with a single or double track, to Sebor street; thence west, on Sebor street, to Halsted street. Commencing on Halsted street, at Harrison street, and running south, with a single or double track, to the south branch of the Chicago river. And commencing on Halsted street, at Milwaukee avenue, and running north, with a single or double track, to the center of the north branch of the Chicago river; provided, that the consent of the owners of two-thirds of the property by lineal measure, fronting upon said streets, shall first be obtained.

SEC. 3. The said the Chicago West Division Railway Company shall construct the railways aforesaid on Clinton street, Jefferson street and Meagher street, within ninety days from the passage of this ordinance, unless delayed by the order or injunction of some court of competent jurisdiction; and shall construct the railway on Chicago avenue, from Milwaukee avenue to Wood street, on West Indiana street, from Milwaukee avenue to Ruben street, and on Catherine street, from Blue Island avenue to Robey street, and on Halsted street, Desplaines street and Sebor street, within fifteen months from the passage of this ordinance.

SEC. 3. The said the Chicago West Division Railway Company, its successors and assigns, shall, as respects the grading, paving, macadamizing, filling or planking of the streets or part of streets upon which they shall construct the said railways, or any of them, keep eight feet in width along the line of said railways, on all streets

where one track is constructed, and sixteen feet in width along the line of said railways where two tracks are constructed, in good repair, so that wagons, carriages and other vehicles can pass and repass at any and all points, and in any and all directions; and when any new improvement, paving, repaving, planking or replanking is ordered by the common council on any of said streets, or parts of said streets, the said railway company shall, in the same manner and with like material as required of the owners of property as to other contiguous parts of the street, make such new improvements, on eight feet in width where a single track is used, or sixteen feet in width where a double track is used; and if the said company shall refuse or neglect to make such new improvement, within a reasonable time, to be fixed by the ordinance, the work may be done by the city, and the cost thereof assessed by the board of public works on said company, and collected as other assessments, from any real or personal property of said company. But if the board of public works should deem it inexpedient that said new improvement should be so made by the said company, then the same shall be done by the city as in other cases, and the costs thereof assessed upon and collected of said company in manner, as aforesaid. And if the said company shall refuse or neglect to make any necessary repairs, as aforesaid, or the repairs required by any ordinances heretofore passed, and now in force in respect to horse railway companies, after twenty days' notice from the board of public works, the city may make the repairs and collect the cost thereof, by suit at law, in any court of competent jurisdiction. And said company shall construct all and singular its said respective railways of the kind of rail, and be subject to and governed by the ordinances in force respecting such railways in

the south and west divisions of Chicago, except as herein otherwise provided.

SEC. 4. The cars to be used on said several railways shall be operated by animal power only; and said railways shall not, or any of them, connect with any other railroad operated by other power; nor shall any other person or corporation operate or use any railway cars or carriages upon or along any or either of said tracks or street wherein such track is laid, without first having the consent in writing therefor of said railway company.

SEC. 5. Said railroad company shall keep on hand a sufficient number of cars adapted to funeral purposes, in which shall be suitable compartments for carrying the corpse by itself; and on application of any person shall furnish not exceeding three cars, unless more shall be agreed upon, at some convenient point on the line of its said roads, so as not to hinder or delay other cars thereon, to convey the corpse and persons attending the funeral to any cemetery to which its lines or connections extend; provided, that if its funeral cars shall all be engaged for funeral purposes before such application is made, the company shall not be bound to furnish the same until such prior engagement is fulfilled. And the said company shall make the best possible arrangement with the street railway companies whose lines do now or may hereafter extend to the cemeteries, so that the charge for conveying any corpse from points on said lines of railways through to the cemeteries shall not exceed two dollars, and for each person attending such funeral not exceeding twenty-five cents for the round trip out and back.

SEC. 6. This ordinance shall be in force and effect from and after its passage.

(Special Ordinances, pp. 1322-5.)

AN ORDINANCE AUTHORIZING THE EXTENSION OF TRACKS
OF THE CHICAGO WEST DIVISION RAILWAY COMPANY
ON WEST VAN BUREN STREET. (Passed November
13, 1871.)

*Be it Ordained by the Common Council of the City of
Chicago:*

SECTION 1. That the Chicago West Division Railway Company be and is hereby authorized and permitted to lay down and maintain a single or double track railway, with all the necessary turn-outs, switches and side-tracks, on West Van Buren street, from the east line of South Western plank road (or Ogden avenue) to Western avenue, and to run its cars there, on the condition with its tracks on South Clinton street and Van Buren street, east of South Western plank road, but the said company shall not be required to lay its track west of Hoyne street, until said Van Buren street shall be opened and continued direct between Hoyne and Leavitt streets.

SEC. 2. All contracts by and between the City of Chicago and said railway company, applicable to the line, its line on Van Buren street east of Southwestern plank road (or Ogden avenue), shall be, and are hereby extended to its line on Van Buren street west of Southwestern plank road hereby authorized, and the said company shall enjoy and exercise the same privileges, and be subject to the conditions on line hereby authorized, as now apply to its line on said West Van Buren street, east of Southwestern plank road.

SEC. 3. The said railway company shall lay or cause to be laid a single or double track on said West Van Buren street, from Southwestern plank road to Hoyne

street, within six months from the passage of this ordinance, and from Hoyne street to Western avenue within six months from and after said Van Buren street shall be opened between Hoyne and Leavitt streets; otherwise this ordinance shall be null and void, and the right of way hereby granted to said company shall cease.

(Special Ordinances, pp. 1325-6.)

AN ORDINANCE AUTHORIZING THE CONSTRUCTION AND
 OPERATION OF A HORSE RAILWAY ON NORTH AVENUE,
 BETWEEN MILWAUKEE AVENUE AND HUMBOLDT
 PARK, IN THE CITY OF CHICAGO. (Passed March 8,
 1875.)

*Be it Ordained by the Common Council of the City of
 Chicago:*

SECTION 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, authority, permission and consent are hereby given, granted and duly vested in said company, its successors and assigns, to lay down, operate and maintain a single or double track railway, with all necessary turnouts, turn-tables, sidetracks and switches, in, upon and along North avenue, in said City of Chicago, commencing at the intersection of said North avenue with Milwaukee avenue, and to connect with the track, or tracks, now upon said Milwaukee avenue, and thence to extend west to the present and to the future city limits; provided, the track or tracks of said railway shall not be laid within twelve feet of the sidewalks of said North avenue.

And, provided further, that before said company shall lay any track or tracks under the provisions of this ordinance they shall, at their own expense, grade and cinder North avenue, between Milwaukee avenue and Western avenue, to the width of thirty-three feet, and put said North avenue in a good, passable condition for wagons.

SEC. 2. The cars or carriages to be used upon said track or tracks hereby authorized to be constructed upon

said North avenue shall be operated with animal power only, and no railway car or carriage used by any other railroad company in this state shall be used upon or passed over said track or tracks.

SEC. 3. The said track or tracks and cars operated thereon shall be used for no other purpose than to transport passengers and their ordinary baggage; and the cars or carriages used for that purpose shall be of the best style and class in use on such railways; and the common council shall have the power at all times to make such regulations as to the rate of speed and time of running said cars and carriages as said council may require.

SEC. 4. The track or tracks of said railway shall not be elevated above the surface of the street, and shall be laid with modern improved rails, and shall be so laid that carriages and other vehicles can easily and freely cross said track or tracks at any and all points, and in any and all directions, without obstruction.

SEC. 5. The said railway company, its associates, successors and assigns shall pay one-third of the cost of grading, paving, macadamizing or filling said street or parts of said street, on which it is hereby authorized to construct said railway, and shall at all times keep that portion of said street as shall be occupied by its said railway in good repair and condition, in accordance with whatever orders may hereafter be passed in that behalf by said common council; and said railway company, its successors and assigns, shall be liable for all legal and consequential damages which may be sustained by any person, by reason of the carelessness, neglect or misconduct of any agent or servant of said company, its successors and assigns, in the course of their employment in the construction or in the use of the said track or tracks or railway.

SEC. 6. The rights and privileges hereby granted to said company shall be forfeited to the City of Chicago unless the said railway shall be fully completed and ready for use on or before the first day of October, A. D. 1876; provided, that if the said company shall be delayed by the order or injunction of any court, the time of such delay shall be excluded, and the same time, in addition to the period above described, shall be allowed for the completion of said railway as that during which said company may have been so delayed.

SEC. 7. The right to operate said railway shall extend to the first day of October, A. D. 1894, at which time the rights and privileges herein and hereby granted to said company shall cease; but said company, operating said railway at said time, shall be entitled to enjoy all of such rights and privileges after the expiration of said time, and until the common council shall thereafter elect, by order for that purpose, to purchase said track or tracks of said railway, cars, carriages, furniture, and implements of every kind and description used in the construction and operation of said railway, and pay for the same in the manner hereinafter mentioned.

SEC. 8. Such order to purchase shall fix the time when said City of Chicago will take such railway and other property before mentioned, which shall not be less than six months after the passage of said order, and at the time of taking such railway and other property before mentioned the City of Chicago shall pay to the parties operating the same a sum of money to be ascertained by three commissioners, to be appointed for that purpose, as follows: One to be chosen from the disinterested freeholders of Cook County by the said common council; one in like manner by the said company, its associates, or

successors, and the two persons so chosen to choose the third from said freeholders.

SEC. 9. All rights heretofore vested in the board of water commissioners and sewerage commissioners, or other corporations, are not to be impaired or affected by this ordinance, but the rights and privileges hereby granted are subject thereto.

SEC. 10. The said Chicago West Division Railway Company shall enter into a good and sufficient bond with the City of Chicago in the penal sum of ten thousand dollars for the faithful performance of all the terms and conditions herein contained in this ordinance, and that said railway herein mentioned shall be completed at all times and manner herein stated, unless delayed by the order or injunction of some court having jurisdiction of such matters, from so completing the same, and said Chicago West Division Railway Company shall also enter into a good and sufficient bond with the City of Chicago in the penal sum of fifty thousand dollars, for all legal, consequential, or other damages which may be sustained by any person or persons by reason of the rights and privileges herein and hereby granted to said company, said bonds to be drawn by the law officers of the City of Chicago, and each to contain such conditions, provisions, restrictions, prohibitions, or other matter as shall in the opinion of such law officers be necessary to fully and completely protect and indemnify the said City of Chicago in all things from any and all loss or damage by reason of the grant of the powers and privileges herein granted to said company.

SEC. 11. This ordinance shall take effect and be in force as soon as the same shall have been duly accepted

by the said Chicago West Division Railway Company, and the said company shall have made and executed the several bonds provided for herein in manner and form as hereinbefore required.

(Special Ordinances, pp. 1327-9.)

AN ORDINANCE AMENDING THE FIRST, THIRD, FOURTH, FIFTH, TENTH AND ELEVENTH SECTIONS OF AN ORDINANCE ENTITLED, "AN ORDINANCE AUTHORIZING THE CONSTRUCTION AND OPERATION OF A HORSE RAILWAY ON NORTH AVENUE, BETWEEN MILWAUKEE AVENUE AND HUMBOLDT PARK, IN THE CITY OF CHICAGO." (Passed April 19, 1875.)

Be it Ordained by the Common Council of the City of Chicago:

SECTION 1. That section one of said ordinance be, and the same is hereby amended by repealing the last proviso of said section one, and that sections three, four, five, ten and eleven in said original ordinance be repealed and the following substituted:

SEC. 3. That said track, or tracks, and cars operated thereon shall be used for no other purpose than to transport passengers, and their ordinary baggage; and said track or tracks shall be so laid as to avoid the unnecessary elevation of their tracks above the surface of the street, and shall be so maintained by said company as not unnecessarily to obstruct the passage of carriages or vehicles over them, or to impair the usefulness of the street on which they are laid; shall run cars or carriages thereon of a suitable style and description, and at all such times and rate of speed as the public convenience and safety shall to it seem to require.

SEC. 4. The said railway company, its successors and assigns, as respect grading and paving, shall at their own expense grade and pave the space between the rails and keep the same in good repair and condition, in accordance with such ordinances, orders and regulations as shall

be passed or adopted by the common council of said city, such paving, grading and repairs to be subject to and done under the superintendence and direction and to the satisfaction of the board of public works of said city or other board of officers of said city having charge and superintendence of the improvements and repairs of streets.

SEC. 5. Said railway company, its sucesors and assigns, shall be liable for any legal or consequential damages which may be sustained by any person by reason of the carelessness, neglect or misconduct of any agent or servant of said company, its successors and assigns, in the construction or use of said tracks or railway, or by reason of the misconstruction or faulty or defective construction of said tracks or any of them.

SEC. 10. The permission and authority hereby granted are upon the further condition that the said railway company shall and will forever indemnify and save harmless the City of Chicago against any and all damages, judgments, decrees and costs and expenses of the same which it may suffer, or which may be recovered and obtained against said city for or by reason of the granting of such privilege and authority, or for or by reason of, or growing out of, or resulting from the passage of this ordinance, or any matter or anything connected therewith, or with the exercise by said company of the privileges hereby granted.

SEC. 11. This ordinance shall take effect and be in force as soon as the same shall have been duly accepted by the said Chicago West Division Railway Company.

(Special Ordinances, pp. 1329-30.)

AN ORDINANCE AUTHORIZING A HORSE RAILWAY ON
WEST INDIANA STREET. (Passed August 9, 1875.)

*Be it Ordained by the Common Council of the City of
Chicago:*

SECTION 1. That the Chicago West Division Railway Company is hereby authorized to lay a single or double track, with all necessary and convenient tracks for turn-outs, sidetracks and switches, in, upon and along West Indiana street, from its intersection with Halsted street and Milwaukee avenue, west to the present and future limits of the city, and to operate the same in connection with the horse railroad of said company on said Halsted street, and along Milwaukee avenue at its intersection with West Indiana street and Halsted street, southeast to Clinton street, then south on Clinton street to Randolph street, and operate the same, in connection with the horse railroads of said company on Milwaukee avenue and Randolph street. The track or tracks of said railway company shall be laid as near the center of said street as they can be safely operated, and where the tracks shall be double, they shall be constructed perfectly parallel as far as practicable. The same to be completed as far west as Hoyne street by the first of January next, and from Hoyne street west to such point as may be sewered within twelve months from and after the completion of such sewerage.

SEC. 2. The track of such railway shall not be elevated above the surface of the street, shall be laid with such modern improved rails as may be prescribed by the city, and shall be so laid that carriages and other vehicles can easily and freely cross said tracks, at any and all points, and in any and all directions, without obstruction.

SEC. 3. The rate of fare for any distance shall not exceed five cents, except when cars or carriages shall be chartered for special purposes.

SEC. 4. The cars to be used upon said tracks shall be operated with animal power only, and shall not connect with any other railroad on which other power is used, and no railway car or carriage used upon any other railroad in this state shall be used upon said tracks.

SEC. 5. The said tracks and railway shall be used for no other purpose than to transport passengers, and the cars and carriages for that purpose shall be of the best style and class.

SEC. 6. The said company shall, as respects the grading, paving, macadamizing, filling or planking of the said street or any part thereof upon which they shall construct their said railway, keep eight feet in width along the line of said railway whereon one track is constructed, and sixteen feet in width along the line of said railway whereon two tracks are constructed, in good repair and condition during all the time to which the privileges hereby granted to said company shall extend, in accordance with whatever order or regulation respecting the ordinary repairs thereof may be passed or adopted by the common council of said city. And the said company shall be liable for all legal consequential damages which may be sustained by any person by reason of the carelessness, negligence or misconduct of any of the agents or servants of the said company in the course of their employment in the construction or the use of the railways aforesaid, or any or either of them.

SEC. 7. If the said company shall fail to complete the said railway in this ordinance mentioned, at the time mentioned and provided, and according to the conditions

prescribed herein, then the rights and privileges granted by virtue hereof respecting said railway shall be forfeited to the City of Chicago, unless the common council of said city shall grant the said company a further extension of time; provided, that if said company is delayed by the order or injunction of any court, the time of such delay shall be excluded from the time above described.

SEC. 8. All rights heretofore vested in the board of water commissioners and sewerage commissioners, or other corporations are not to be impaired or affected by anything herein contained, but the rights and privileges hereby granted are subject thereunto.

* SEC. 9. The said company shall keep, maintain, use and enjoy the right to operate thereon railway cars and carriages, under the terms and restrictions herein provided, for and during the term and period of twenty years from the date of the passage of this ordinance.

(Special Ordinances, pp. 1331-2.)

AN ORDINANCE AMENDING ORDINANCE OF AUGUST 9,
1875, CONCERNING A HORSE RAILWAY ON INDIANA
STREET. (Passed August 12, 1875.)

*Be it Ordained by the Common Council of the City of
Chicago:*

SECTION 1. That the first section of the ordinance
entitled "An ordinance for horse railway on West Indiana
street," adopted August the 9th, 1875, be amended by
adding to said section the words "Provided the time for
the construction of that part of said proposed railway east
of Halsted street on Milwaukee avenue and Clinton street
shall be extended for the period of six months from and
after the completion of the proposed viaduct at the rail-
road crossing on Milwaukee avenue, and that as thus
amended said ordinance be ratified and confirmed.

(Special Ordinances, p. 1333.)

AN ORDINANCE AUTHORIZING THE CONSTRUCTION AND OPERATION BY THE CHICAGO WEST DIVISION RAILWAY COMPANY OF AN EXTENSION OF THEIR TRACKS ON BLUE ISLAND AVENUE, FROM REBECCA STREET TO TWENTY-SECOND STREET. (Passed February 21, 1876.)

Be it Ordained by the Common Council of the City of Chicago:

SECTION 1. That in consideration of the acceptance hereof and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, permission and consent are hereby given, granted and duly vested in said company, its successors and assigns, to lay down, operate and maintain an extension of their double track railway, with all necessary and convenient turn-outs, turn-tables, side tracks and switches, on Blue Island avenue from its present termination at Rebecca street southwest and over and along the proposed railroad viaduct to Twenty-second street, the same to be completed within six months from and after the passage of this ordinance, or as soon as the said avenue shall be paved.

SEC. 2. The tracks of such railway shall be laid with such modern improved rails as may be prescribed by the city, and shall be so laid that carriages and other vehicles can easily and freely cross said tracks at any and all points, and in any and all directions, without obstruction.

SEC. 3. The cars to be used upon said tracks shall be operated with animal power only, and shall not connect with any other railroad on which other power is used, and no railway car or carriage used upon any other railroad in this state shall be used upon said tracks.

SEC. 4. The said tracks and railway shall be used for no other purpose than to transport passengers, and the cars and carriages for that purpose shall be of the best style and class.

SEC. 5. The said company, as respects the grading, paving, macadamizing, filling or planking of said Blue Island avenue, upon which they shall construct their said railway, shall pave between their rails, and keep sixteen feet in width along the line of said railway where two tracks are constructed in good repair and condition during all the time to which the privilege hereby granted to said company shall extend, in accordance with whatever order or regulation respecting the ordinary repairs thereof may be passed or adopted by the common council of said city. And the said company shall be liable for all legal consequential damages which may be sustained by any person by reason of the carelessness, negligence or misconduct of any of the agents or servants of the said company in the course of their employment in the construction or use of the railway aforesaid, by any or either of them.

SEC. 6. If the said company shall fail to complete the extension of said railway in this ordinance mentioned at the time mentioned and provided, according to the conditions presented herein, then the rights and privileges granted by virtue hereof respecting said railway shall be forfeited to the City of Chicago, unless the common council of said city shall grant to said company a further extension of time.

SEC. 7. All rights heretofore vested in the board of water commissioners and sewerage commissioners, or other corporations are not to be impaired or affected by

anything herein contained, but the rights and privileges hereby granted are subject thereunto.

SEC. 8. The said company shall keep, maintain, use and enjoy the right to operate thereon railway cars and carriages under the terms and restrictions herein provided for, and during the term and period of twenty years from the date of the passage of this ordinance.

SEC. 9. The said company shall be entitled to enjoy all of such rights and privileges hereby granted after the expiration of the time fixed in this ordinance, and until the common council shall thereafter elect by order for that purpose, to purchase said track or tracks of said railway, cars, carriages, furniture and implements and appurtenances of every kind and description used in the construction and operation of said railway, and pay for the same in the manner hereinafter mentioned.

SEC. 10. Such order to purchase shall fix the time when said City of Chicago will take such railway and other property before mentioned, which shall not be less than six months after the passage of said order, and at the time of taking such railway and other property before mentioned, the City of Chicago shall pay to the party or parties operating the same a sum of money, to be ascertained by three commissioners to be appointed for that purpose as follows: One to be chosen from the disinterested freeholders of Cook County by the said common council; one in like manner by the said company, its associate, or successors, and the two persons so chosen to choose the third from said freeholders.

SEC. 11. This ordinance shall take effect and be in force as soon as the same shall be accepted by the company.

(Special Ordinances, pp. 1333-5.)

AN ORDINANCE FOR THE CONSTRUCTION AND OPERATION
OF A HORSE RAILWAY ON OGDEN AVENUE IN THE CITY
OF CHICAGO. (Passed February 28, 1876.)

*Be it Ordained by the Common Council of the City of
Chicago:*

SECTION 1. That the Chicago West Division Railway Company is hereby authorized to lay a double track, with all necessary and convenient tracks for turn-outs and switches, in, upon and along Ogden avenue, from its intersection with Madison street, southwest to Western avenue, a single or double track, and to operate the same in connection with the horse railroad of said company on said Madison street, the same to be completed and operated as far southwest as Western avenue within six months from the passage of this ordinance.

SEC. 2. The track of such railway shall be laid with such modern improved rails as may be prescribed by the city, and shall be so laid that carriages and other vehicles can easily and freely cross said tracks at any and all points, and in any and all directions, without obstruction.

SEC. 3. The rate of fare for any distance shall not exceed five cents, except when cars or carriages shall be chartered for special purposes.

SEC. 4. The cars to be used upon said tracks shall be operated with animal power only, and shall not connect with any other railroad on which other power is used, and no railway car or carriage used upon any other railroad in this state shall be used upon said tracks.

SEC. 5. The said tracks and railway shall be used for no other purpose than to transport passengers, and

the cars and carriages for that purpose shall be of the best style and class.

SEC. 6. The said company shall, as respects the grading, paving, macadamizing, filling or planking of the streets or parts of streets upon which they shall construct their said railways or any of them, keep eight feet in width along the line of said railway on all streets whereon one track is constructed, and sixteen feet in width along the line of said railway where two tracks are constructed, in good repair and condition during all the time to which the privilege hereby granted to said company shall extend, in accordance with whatever order or regulation respecting the ordinary repairs thereof may be passed or adopted by the common council of said city. And the said company shall be liable for all legal consequential damages which may be sustained by any person by reason of the carelessness, negligence or misconduct of any of the agents or servants of the said company in the course of their employment in the construction or use of the railways aforesaid, by any or either of them.

SEC. 7. If the said company shall fail to complete the said railway in this ordinance mentioned at the time mentioned and provided, and according to the conditions presented herein, then the rights and privileges granted by virtue hereof respecting said railway shall be forfeited to the City of Chicago, unless the common council of said city shall grant to said company a further extension of time; provided, that if said company is delayed by the order or injunction of any court the time of such delay shall be excluded from the time above prescribed.

SEC. 8. All rights heretofore vested in the board of water commissioners and sewerage commissioners, or

other corporations, are not to be impaired or affected by anything herein contained, but the rights and privileges hereby granted are subject thereunto.

SEC. 9. The said company shall keep, maintain, use and enjoy the right to operate thereon railway cars and carriages under the terms and restrictions herein provided for and during the term and period of twenty years from the date of the passage of this ordinance.

SEC. 10. This ordinance shall take effect and be in force as soon as the same shall be accepted by the company.

(Special Ordinances, pp. 1335-7.)

AN ORDINANCE RELATING TO THE PURCHASE OF THE RIGHTS AND PRIVILEGES GRANTED TO THE CHICAGO WEST DIVISION RAILWAY COMPANY IN THE FOREGOING ORDINANCE. (Passed July 10, 1876.)

Be it Ordained by the Common Council of the City of Chicago:

The right of the Chicago West Division Railway Company, under the ordinance to which this is an amendment, to operate said railway shall cease at the end of twenty years from the date of the passage of said ordinance, as therein provided, but said railway company shall be entitled to enjoy all of such rights and privileges after the expiration of said time and until the common council shall thereafter elect, by order for that purpose, to purchase said track or tracks of said railway, cars, carriages, furniture and implements, and appurtenances of every kind and description used in the construction and operation of said railway, and pay for the same in the manner hereinafter mentioned. Such order to purchase shall fix the time when said City of Chicago will take such railway, and other property before mentioned, which shall not be less than six months after the passage of said order, and at the time of taking such railway and other property before mentioned, the City of Chicago shall pay to the parties operating the same a sum of money, to be ascertained by three commissioners to be appointed for that purpose as follows: One to be chosen from the disinterested freeholders of Cook County by the said common council, one in like manner by the said company, its associates or successors, and the two persons so chosen to choose the third from said freeholders.

(Special Ordinances, p. 1337.)

AN ORDINANCE AUTHORIZING THE CONSTRUCTION AND OPERATION BY THE CHICAGO WEST DIVISION RAILWAY COMPANY OF AN EXTENSION OF THEIR TRACKS ON SOUTH HALSTED STREET FROM HARRISON STREET SOUTH TO THE SOUTH BRANCH OF THE CHICAGO RIVER. (Passed September 25, 1876.)

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. That, in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, permission and consent are hereby given, granted and duly vested in said company, its successors and assigns, to lay down, operate and maintain an extension of their double track railway, with all necessary and convenient turn-outs, turn-tables, side-tracks and switches, on South Halsted street, from Harrison street south, and over and along the viaduct, to the south branch of the Chicago river, the same to be completed within four months from and after the passage of this ordinance; provided, that if said company shall be delayed by the order or injunction of any court of competent jurisdiction from completing said railway, the time of such delay shall be excluded from the period prescribed herein for completing the same.

SEC. 2. The tracks of such railway shall be laid with such modern improved rails as may be prescribed by the city, and shall be so laid that carriages and other vehicles can easily and freely cross said tracks at any and all points, and in any and all directions, without obstruction.

SEC. 3. The cars to be used upon said tracks shall be operated with animal power only, and shall not connect with any other railroad, on which other power is used, and no railway car or carriage used upon any other railroad in this state shall be used upon said tracks.

SEC. 4. The said tracks and railway shall be used for no other purpose than to transport passengers, and the cars and carriages for that purpose shall be of the best style and class.

SEC. 5. The said Chicago West Division Railway Company, its successors or assigns, as respects grading, paving, macadamizing, filling or planking shall, at their own expense, lay down a new road-bed sixteen feet wide, and keep sixteen feet in width in repair on said South Halsted street, so far as the same is embraced in this ordinance, and keep their tracks in such condition that wagons, carriages and other vehicles can pass and repass at any and all points, and in any and all directions, and as to said sixteen feet in width shall pave, repave, plank, replank, or make any other kind of new improvement which may by ordinance be ordered at any time by the city council on said South Halsted street so far as embraced in this ordinance.

SEC. 6. If the said company shall fail to complete the extension of said railway in this ordinance mentioned, at the time mentioned and provided, and according to the conditions presented herein, then the rights and privileges granted by virtue hereof respecting said railway shall be forfeited to the City of Chicago, unless the city council of the city shall grant to said company a further extension of time.

SEC. 7. All rights heretofore vested in the board of

water commissioners and sewerage commissioners, or other corporations, are not to be impaired or affected by anything herein contained, but the rights and privileges hereby granted are subject thereunto.

SEC. 8. The said company may keep, maintain, use and enjoy the right to operate thereon railway cars and carriages upon the terms, with the rights and subject to conditions and restrictions mentioned in the act incorporating said company, and acts amendatory of the same, for the term and period of twenty years from the date and passage of this ordinance.

SEC. 9. The said company shall be entitled to enjoy all such rights and privileges hereby granted after the expiration of the time fixed in this ordinance, and until the city council shall thereafter elect, by order for that purpose, to grant the privilege to some person, persons, party or parties, or company, to purchase said track or tracks of said railway, cars, carriages, furniture and implements, and appurtenances of every kind and description used in the construction and operation of said railway, and pay for the same in the manner hereinafter mentioned.

SEC. 10. Such order to purchase shall fix the time when said person, persons, party, parties or company will take such railway and other property before mentioned, which shall not be less than six months after the passage of said order, and at the time of taking such railway and other property before mentioned, the said person, party or company shall pay to the party or parties operating the same a sum of money to be ascertained by three commissioners, to be appointed for that purpose as follows: One to be chosen by said person or parties from the disinterested freeholders of Cook County; one in

like manner by the said company, its associates or successors operating said road, and the two persons so chosen to choose the third from said freeholders.

SEC. 11. This ordinance shall take effect and be in force as soon as the same shall be accepted by the company.

(Special Ordinances, pp. 1337-9.)

AN ORDINANCE AUTHORIZING THE CONSTRUCTION AND OPERATION OF STREET RAILWAY TRACKS ON O'NEIL STREET. (Passed November 27, 1876.)

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, permission and consent are hereby given and granted to and duly vested in said company, its successors and assigns, to lay down, operate and maintain a double or single track railway with all necessary and convenient turn-outs, side-tracks, turn-tables and switches on O'Neil street, to enable said company to connect its tracks on South Halsted street with its car house on O'Neil street upon the same terms and conditions as are applicable to the tracks on said South Halsted street.

SEC. 2. This ordinance shall take effect and be in force as soon as the same shall have been duly accepted by said West Division Railway Company.

(Special Ordinances, pp. 1340.)

AN ORDINANCE AUTHORIZING THE CONSTRUCTION AND OPERATION BY THE CHICAGO WEST DIVISION RAILWAY COMPANY OF STREET RAILWAYS UPON CERTAIN STREETS IN THE WEST DIVISION OF THE CITY OF CHICAGO. (Passed March 26, 1877.)

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. That, in consideration of the acceptance hereof and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, which are hereby declared conditions, permission and consent are hereby given, granted and duly vested in said company, its successors and assigns, to lay down, operate and maintain a double track railway, with all necessary and convenient turn-outs, turn-tables, side-tracks and switches, on Harrison street from Clinton to Canal streets, on Canal street from Harrison street to Canalport avenue, on Canalport avenue from Canal street to South Halsted street, and on Twelfth street from Canal street to Ashland avenue, the same to be completed and in operation by the first day of November, 1877; provided, that if said company shall be delayed by the order or injunction of any court of competent jurisdiction from completing said railway, the time of such delay shall be excluded from the period prescribed herein for completing the same.

SEC. 2. The tracks of such railway shall be laid as near the center of the street as practicable, with such modern improved rails as may be prescribed by the city, and shall be so laid that carriages and other vehicles can easily and freely cross said tracks at any and all points, and in any and all directions, without obstruction.

SEC. 3. The cars to be used on said tracks shall be operated with animal power only, and shall not connect with any other railroad on which other power is used, and no steam or other railway car or carriage used upon any other railroad in this state shall be used upon said tracks without the consent of the Chicago West Division Railway Company, except as is provided in section eleven of this ordinance relating to the Metropolitan City Railway Company.

SEC. 4. The said tracks and railway shall be used for no other purpose than to transport passengers, and the cars and carriages for that purpose shall be of the best style and class.

SEC. 5. The said Chicago and West Division Railway Company, its successors or assigns, as respects grading, paving, macadamizing, filling or planking, shall, at their own expense, lay down a new road-bed sixteen feet wide, and keep sixteen feet in width in repair on said Harrison, Canal and Twelfth streets, and on Canalport avenue, so far as the same are embraced in this ordinance, and keep their tracks in such condition that wagons, carriages and other vehicles can pass and repass at any and all points, and in any and all directions, and as to said sixteen feet in width shall pave, repave, plank, replank or make any other kind of new improvement which may by ordinance be ordered at any time by the city council on said streets as far as embraced in this ordinance.

SEC. 6. If the said company should fail to complete the extension of said railway in this ordinance mentioned, at the time mentioned and provided, and according to conditions presented herein, then the rights and privileges granted by virtue hereof respecting said railway shall be forfeited to the City of Chicago, unless the city

council of the city shall grant to said company a further extension of time.

SEC. 7. All rights heretofore vested in the board of water commissioners and sewerage commissioners are not to be impaired or affected by anything herein contained, but the rights and privileges hereby granted are subject thereunto.

SEC. 8. The said company may keep, maintain, use and enjoy the right to operate thereon railway cars and carriages upon the terms, with the rights and subject to the conditions and restrictions mentioned in the act incorporating said company, and acts amendatory of the same, for the term and period of twenty years from the date and passage of this ordinance.

SEC. 9. The said company shall be entitled to enjoy all such rights and privileges hereby granted after the expiration of the time fixed in this ordinance, and until the city council shall thereafter elect, by order for that purpose, to grant the privilege to some person, persons, party or parties, or company, to purchase said track or tracks of said railway, cars, carriages, furniture and implements, and appurtenances of every kind and description then used in the operation of the railways herein authorized and pay for the same in the manner herein-after mentioned.

SEC. 10. Such order to purchase shall fix the time when said person, persons, party, parties or company will take such railway and other property before mentioned, which shall not be less than six months after the passage of said order, and at the time of taking such railway and other property before mentioned the said person, party or company shall pay to the party or parties operating the same a sum of money to be ascertained by

three commissioners, to be appointed for that purpose, as follows: One to be chosen by said person or parties from the disinterested freeholders of Cook County; one in like manner by the said company, its associates or successors operating said road, and the two persons so chosen to choose the third from said freeholders.

SEC. II. The City of Chicago shall not be liable to the Chicago West Division Railway Company for any damages by reason of the passage of this ordinance if the same shall be held invalid, and the Chicago West Division Railway hereby undertakes to indemnify and save harmless the City of Chicago from all suits against it by reason of the passage of the same; and to pay all damages which may be recovered in such suits, or any of them, and if it shall be finally decided that the Metropolitan City Railway Company has, under and by virtue of an ordinance heretofore passed and the laws now in force, acquired the right to lay down, maintain and operate railway tracks upon that portion of Canal street whereon a railway is herein authorized, and as soon as legal obstacles are removed, and the Metropolitan City Railway Company may be authorized and prepared to lay down horse railway tracks upon the streets designated in the ordinance of the Metropolitan City Railway Company, then the Chicago West Division Railway Company shall allow the Metropolitan City Railway Company to use the tracks herein authorized upon Canal street between Harrison street and Fourteenth street jointly with it, the Chicago West Division Railway Company, with equal privileges, upon the said Metropolitan City Railway Company paying half the cost of construction and half of the cost of keeping the same in repair as required by this ordinance.

SEC. 12. This ordinance shall take effect and be in force as soon as the company shall accept the same, and shall give a bond to the City of Chicago in the penal sum of \$20,000, that it will at all times hereafter comply with the eleventh section of this ordinance.

(Special Ordinances, pp. 1341-3.)

AN ORDINANCE TO PROVIDE FOR THE EXTENSION OF HORSE RAILWAY TRACKS TO THE PROPOSED TROTting PARK ON WEST MADISON STREET, JUST WEST OF CENTRAL PARK, IN THE WEST DIVISION OF THE CITY OF CHICAGO. (Passed June 24, 1878.)

Whereas, by an act of the General Assembly of the State of Illinois, entitled: "An act to promote the construction of horse railways in the City of Chicago," approved February 14, 1859, and by a certain ordinance of said city in pursuance of the act aforesaid, entitled: "An ordinance authorizing the extension and operation of certain horse railways in the streets of the south and west divisions of Chicago," passed May 23, 1859, found on page 194 of Revised Ordinances (Section 29), of the City of Chicago; and

Whereas, said ordinance authorizing the extension and operation of said horse railways, and granted upon certain conditions, which are set forth in said ordinance, passed May 23, 1859, one of which said conditions was that "whenever the common council shall determine that the public interest requires any one of said railways last mentioned to be constructed or extended, as the case may be, and shall, by ordinance, direct such construction or extension, in sixty days after being notified of such ordinance.

Provided, however, that such ordinance shall include one street only, that then there shall be an interval of at least three months between such ordinances, and that the same shall not be made at an unseasonable time of the year for doing such work; now, therefore,

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. That this council does hereby determine, in accordance with the terms and provisions of said ordinance, passed May 23, 1859, that the public interest requires that the railway tracks of the Chicago City Railway Company, which have hitherto been laid on West Lake street, and as the same exist therein, shall be extended west on said Lake street from their present terminus to the proposed trotting park of West Madison street, just west of the Central Park, a public park, existing in the west division of the City of Chicago (or that a line of railway equivalent thereto should be extended to said trotting park), and the said Chicago City Railway Company is hereby ordered and directed to extend the tracks of their railway west on Lake street to said trotting park, and that the said track or tracks shall be laid down within sixty days after the said company is notified of the passage of this ordinance, in accordance with the requirements of said ordinance, passed May 23, 1859, and shall be used, operated and maintained subject to all of the provisions of said ordinance.

SEC. 2. The Chicago West Division Railway Company, the successor of the Chicago City Railway Company, and owner of all its rights, privileges and franchises, so far as relates to the west division of the city, and under obligation to perform all the duties of said last named company, in respect to horse railways in such division, may, instead of extending its railway tracks now existing on Lake street, extend its tracks west on Madison street, from the steam railway tracks on Rockwell street to the proposed trotting park, subject to all of the provisions of the ordinance mentioned in the foregoing section, and in case said Chicago West Division Railway

Company shall elect to extend their said track on West Madison street, west to the proposed trotting park as aforesaid, and shall notify the city council of the same, and that they will operate and maintain a horse railway from the present terminus of their railway tracks on Madison street, from the steam railways tracks on Rockwell street to said proposed trotting park, then all provisions of said ordinance shall be observed by the Chicago West Division Railway Company as respects the said tracks herein authorized to be laid on Madison street.

SEC. 3. The rights and privileges hereby granted to said company to keep, maintain, use and enjoy the right to operate thereon railway cars and carriages are granted for the term of twenty years from the passage of this ordinance upon the same terms and with the rights and subject to the conditions and restrictions which the said company now has, and which exist in regard to the tracks of said company now laid on said West Madison street, east of Western avenue.

SEC. 4. The said company shall be entitled to enjoy all such rights and privileges hereby granted, after the expiration of the time fixed in this ordinance, and until the city council shall thereafter, elect, by order for that purpose, to grant the privilege to some person, persons, party or parties, corporation or company, to purchase said track or tracks of said railway cars, carriages, furniture and implements and appurtenances of every kind and description then used in the operation of the railways herein authorized, and pay for the same in the manner hereinafter mentioned.

SEC. 5. Such order to purchase shall fix the time when said person, persons, party, parties, corporation or company will take such railway and other property before

mentioned, which shall not be less than six months after the passage of said order, and at the time of taking such railway and other property before mentioned, the said person, party, corporation or company shall pay to the party or parties operating the same a sum of money to be ascertained by three commissioners, to be appointed for that purpose, as follows: One to be chosen by said person or parties from the disinterested freeholders of Cook county; one in like manner by the said company, its associates or successors operating said road, and the two persons so chosen to choose the third from said freeholders.

SEC. 6. The said railway company, its successors or assigns, as respects grading, paving, macadamizing, filling or planking, shall, at their own expense, keep eight feet in width where a single track is used, and sixteen feet in width where double track is used, of said streets or parts thereof, so occupied as provided in this ordinance in good repair, so that wagons, carriages or other vehicles can pass and repass at any and all points, and in any and all directions, and when any new improvements, paving, repaving, macadamizing, planking or replanking is ordered by the city council in said street, said railway company shall, in the same manner, and with like material, as required by the owners of property, as to other contiguous parts of the street, make such new improvements on eight feet in width where a single track is used, and sixteen feet in width where a double track is used, and if the said company shall refuse or neglect to make such new improvements within a reasonable time, to be fixed by the ordinance, the work may be done by the city and the cost thereof assessed upon said company, and collected as other assessments from any real or personal property of said company.

SEC. 7. The tracks hereby authorized shall be deemed as an extension of the tracks already laid by said company on Madison street, and no additional fare shall be charged over the line so extended by virtue of this ordinance.

SEC. 8. This ordinance shall take effect and be in force from and after its passage.

(*Special Ordinances, pp. 1347-9.*)

AN ORDINANCE AMENDING ORDINANCE PASSED JUNE 28, 1878, SUBSTITUTING "CENTRAL PARK" FOR "TROT-
TING PARK." (Passed July 8, 1878.)

*Be it Ordained by the City Council of the City of
Chicago:*

SECTION 1. That Section 1 of the ordinance for the extension of horse railway tracks on West Madison street, passed June 24, 1878, be, and the same is hereby amended, by striking out of said section the words "to the proposed trotting park," found in the ninth line of the printed copy of said ordinance, as found in the printed council proceedings; and, also, by striking out the words "trotting park," elsewhere found in said section, and inserting in lieu thereof the words "Central Park." Also, by striking out the words "proposed trotting park" wherever found in the second section of said ordinance, and inserting in lieu thereof the words "said Central Park," to the end that said ordinance may so read that the terminus of said tracks, as fixed by said ordinance, shall be said Central Park, in place of said trotting park.

(Special Ordinances, pp. 1349-50.)

AN ORDINANCE TO AUTHORIZE AN EXTENSION OF THE CHICAGO WEST DIVISION RAILWAY TRACKS ON WEST TWELFTH STREET AND ON RANDOLPH STREET. (Passed August 26, 1878.)

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, permission and authority is hereby given to said company, its successors and assigns, to construct, maintain and operate a single or double track extension of its railway on West Twelfth street, from the east line of Ashland avenue to connect with the tracks of said company on Ogden avenue, and on Randolph street from State street to Michigan avenue, with all necessary side-tracks, turn-outs and switches, subject to all the conditions and with all the rights and privileges applicable to the line of said company on West Twelfth street, east of Ashland avenue, the track on Randolph street to be so laid that passengers may step from the cars to the sidewalk in front of Dearborn Park, for the period of twenty years after the passage of this ordinance; and the rate of fare for any distance on said line and these extensions thereof shall not exceed five cents for each passenger for any continuous travel at one ride; and the said extension shall be made within sixty days from the passage of this ordinance.

SEC. 2. The said company shall, as respects the grading, paving, macadamizing, filling or planking of said streets, upon which they shall construct the said railway, keep eight feet in width, where a single track is laid,

and sixteen feet where two tracks are laid, in good repair and condition during all the time to which the privileges granted shall extend, in accordance with whatever order or regulation respecting the ordinary repair thereof may be passed by the city council, and where any new improvements shall be ordered by the city council on said streets the said company shall, in the same manner and with like material as required of the owners of property as to other parts of the street, make such new improvements, for the width of eight feet, where a single track is laid, and sixteen feet where a double track is laid; and if the company fails to do so, it may be done by the city, and the cost collected of said company; and if said company shall fail or neglect to make any necessary repairs for twenty days after notice, the work may be done by the city, and the cost thereof collected from said company.

SEC. 3. This ordinance shall take effect when it shall have been accepted by said company, which shall be within ten days from its passage.

(*Special Ordinances, p. 1350.*)

AN ORDINANCE TO AUTHORIZE THE CHICAGO WEST
DIVISION RAILWAY COMPANY TO EXTEND ITS STREET
RAILWAY TRACKS ON WEST MADISON STREET.
(Passed September 9, 1878.)

*Be it Ordained by the City Council of the City of
Chicago:*

SECTION 1. That in consideration of the acceptance hereof and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, permission and authority is hereby granted to said company, its successors and assigns, to construct, maintain and operate a single or double track extension of its railway on West Madison street, from Homan avenue to Hamlin avenue, with all necessary side-tracks, turn-outs and switches, subject to all the conditions and with all the rights and privileges applicable to the line of said company on Madison street east of Homan avenue for the period of twenty years after the passage of this ordinance, and the rate of fare for any distance on said Madison street and the extension thereof shall not exceed five cents for each passenger for any continuous travel at one ride, and the said extension shall be made within twenty days from the passage of this ordinance.

SEC. 2. The said company shall, as respects the grading, paving, macadamizing, filling or planking of said street upon which the said extension is made, keep so much of said street in good repair and condition as shall be occupied by its tracks, and when any new improvement shall be ordered by the city council on that portion of Madison street embraced in this ordinance, the said company shall, in the same manner, and with like material as is required of the owners of property as to other

contiguous parts of said street, make such new improvements on so much of said street as is occupied by its tracks, and if said company fails to do so it may be done by the city, and the cost thereof collected of said company, and if said company shall fail or neglect to make said necessary repairs for twenty days after notice, the work may be done by the city, and the cost thereof collected from said company.

SEC. 3. Said company shall not be required to operate said extension except when there is something special going on at the trotting park.

SEC. 4. This ordinance shall take effect when it shall have been accepted by said company.

(Special Ordinances, p. 1351.)

AN ORDINANCE TO AUTHORIZE THE WEST DIVISION RAILWAY COMPANY TO EXTEND ITS RAILWAY TRACKS ON BLUE ISLAND AVENUE. (Passed October 14, 1878.)

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. That in consideration of the acceptance hereof, and the undertaking by the Chicago West Division Railway Company to comply with the provisions herein contained, permission and authority is hereby granted to said company, its successors and assigns, to construct, maintain and operate, for a period of twenty years, as an extension of the tracks on Blue Island avenue, a double track street railway, with all necessary turn-outs, side-tracks and switches, from the present terminus of its tracks on Blue Island avenue to Western avenue, subject to all the conditions and with all the rights and privileges applicable to the line of said company now in operation on Blue Island avenue, and the rate of fare for the entire distance shall not exceed five cents, but where passengers riding on tickets are transferred at Twenty-second street an additional sum of one cent may be collected so that the through rate shall be equal to five cents.

SEC. 2. Said company shall extend the tracks hereby provided for to Robey street during the year 1878, and to Western avenue during the year 1879, and thereafter the same rates and rules in regard to fare as are applicable to the other lines of said company shall be applicable to the line hereby created.

SEC. 3. Said company shall not, for a period of three years from the passage of this ordinance, be required to run the regular Blue Island avenue cars beyond Twenty-

second street, but shall run additional cars between Twenty-second street and the terminus of the line, transferring the passengers at Twenty-second street.

SEC. 4. The said company shall, as respects the grading, paving, macadamizing, filling or planking of said street, upon which the said extension is made, keep so much of said street in good repair and condition as shall be occupied by its tracks, and when any new improvement shall be ordered by the city council on that portion of the street embraced in this ordinance, said company shall, in the same manner, and with like material as is required of the owners of property as to other contiguous parts of said street, make such new improvement on so much of said street as is occupied by its tracks, and if said company shall fail to do so it may be done by the city and the cost thereof collected of said company, and if said company shall fail or neglect to make said necessary repairs for twenty days after notice, the work may be done by the city and the cost thereof collected from said company.

SEC. 5. This ordinance shall take effect when it shall have been accepted by said company.

(Special Ordinances, pp. 1352-3.)

AN ORDINANCE AUTHORIZING THE CONSTRUCTION AND
OPERATION OF STREET RAILWAY TRACKS ON WESTERN
AVENUE. (Passed December 23, 1878.)

*Be it Ordained by the City Council of the City of
Chicago:*

SECTION 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, permission and consent are given and granted to and duly vested in said company, its successors and assigns, to lay down, operate and maintain a double track railway, with all necessary and convenient turn-outs, side-tracks, turn-tables and switches on Western avenue from Van Buren street to Madison street, to enable said company to connect its tracks on Van Buren street with its car house and barns, at the corner of Western avenue and Washington street, the same to be completed on or before May 1, 1879; provided, that if said company shall be delayed by the order or injunction of any court of competent jurisdiction from completing said railway, the time of such delay shall be excluded from the period prescribed herein for completing the same.

SEC. 2. The tracks of such railway shall be laid as near the center of the street as practicable, with modern improved rails, and shall be so laid that carriages and other vehicles can easily and freely cross said tracks at any and all points, and in any and all directions, without unnecessary obstruction.

SEC. 3. The cars to be used on said tracks shall be operated with animal power only, and shall not connect with any other railroad on which other power is used.

SEC. 4. The said tracks and railway shall be used for no other purposes than to transport passengers, and the cars and carriages for that purpose shall be of the best style and class. The city council shall have the power to regulate the running time, and number of cars to be run from time to time, upon the line of railway hereby granted.

SEC. 5. The said Chicago West Division Railway Company, its successors or assigns, as respects grading, paving, macadamizing, filling or planking, shall, at their own expense, keep sixteen feet in width in repair on said Western avenue, so far as the same is embraced in this ordinance, and when any new improvement, paving, repaving, macadamizing, planking or replanking is ordered by the city council on said street, said railway company shall, in the same manner and with like material as required by owners of property as to other contiguous parts of the street, make such new improvement on sixteen feet in width, and if said company shall refuse or neglect to make such new improvement within a reasonable time, to be fixed by the ordinance, the work may be done by the city, and the cost thereof assessed upon said company and collected as other assessments from any real or personal property of said company.

SEC. 6. If the said company shall fail to complete the extension of said railway in this ordinance mentioned at the time mentioned and provided and according to the conditions presented herein, then the rights and privileges granted by virtue hereof, respecting said railway, shall be forfeited to the City of Chicago, unless the city council shall grant to said company a further extension of time.

SEC. 7. All rights heretofore vested in the board of water commissioners and sewerage commissions, are not

to be impaired or affected by anything herein contained, but the rights and privileges hereby granted are subject thereunto.

SEC. 8. The said company may keep, maintain, use and enjoy the right to operate thereon railway cars and carriages upon the terms, with the rights and subject to the conditions and restrictions mentioned in the act of incorporating said company for the term and period of twenty years from the date and passage of this ordinance.

SEC. 9. The said company shall be entitled to enjoy all such rights and privileges hereby granted after the expiration of the time fixed by this ordinance, and until the city council shall thereafter elect by order for that purpose to grant the privilege to some person, persons, party or parties or company, to purchase said track or tracks of said railways cars, carriages, furniture, property and implements and appurtenances of every kind and description then used in the operation of the railways herein authorized, and pay for the same in the manner hereinafter mentioned.

SEC. 10. Such order to purchase shall fix the time when said person, persons, party, parties or company will take such railway and other property before mentioned, which shall not be less than six months after the passage of said order, and at the time of taking such railway and other property before mentioned the said person, party or company shall pay to the party or parties operating the same a sum of money to be ascertained by three commissioners, to be appointed for that purpose, as follows: One to be chosen by said person or parties from the disinterested freeholders of Cook county; one in like manner by the said company, its associates or successors operating

said road, and the two persons so chosen to choose the third from said freeholders.

SEC. 11. This ordinance shall take effect and be in force from and after its passage and acceptance by said company.

(Special Ordinances; pp. 1353-5.)

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF A
HORSE RAILWAY ON CHICAGO AVENUE. (Passed Oc-
tober 20, 1879.)

*Be it Ordained by the City Council of the City of
Chicago:*

SECTION 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions hereof, authority, permission and consent are hereby given, granted and duly vested in said company, its successors and assigns, to construct, lay down, operate and maintain a single or double track railway, with all necessary turn-outs, side-tracks, switches and curves, in, upon, along Chicago avenue, from its intersection with Milwaukee avenue west to Western avenue, and to operate the same in connection with the railway on said Milwaukee avenue, the same to be completed as far west as the west line of Wood street, on or before June 1st, A. D. 1880, and from thence to the center of Western avenue as soon thereafter as it may be deemed practicable by said company.

SEC. 2. The tracks of such railway shall be so laid that carriages and other vehicles can easily and freely cross said tracks without obstruction.

SEC. 3. The rate of fare for any continuous distance on the same car shall not exceed five cents, except when cars or carriages shall be chartered for special purposes. The cars to be used upon said tracks shall be propelled by animal power, and shall not connect with any other railroad on which other power is used.

SEC. 4. The said tracks and railway shall be used for transporting passengers, and the cars or carriages shall be of the best style.

SEC. 5. That said railway company shall, as respects the grading, paving, macadamizing, filling, widening or planking the streets or parts of streets upon which they shall construct their said railways, or any of them, keep eight feet in width on all streets whereon one track is constructed, and sixteen feet in width along the line of said railway where two tracks are constructed, in good repair and condition during all the time to which the privilege hereby granted to said company shall extend.

SEC. 6. Consent and authority is hereby given to said company to pave and keep in repair, with cobble stones, the railways herein mentioned, and where it is deemed practicable, in the estimation of the commissioners of public works, block stone may be laid outside of the rails on that portion of the streets required to be paved and kept in repair by said company; provided, that the same shall be done to the satisfaction of the department of public works.

SEC. 7. If the said company fail to complete the said railways in the ordinance mentioned at the time mentioned and provided, and according to the conditions prescribed herein, then the rights and privileges granted by virtue hereof respecting said railways shall be forfeited to the City of Chicago, unless the city council shall grant said company a further extension of time; provided, that if the said company is delayed by the order of any court, the time of such delay shall be excluded from the time above prescribed.

SEC. 8. All rights and privileges heretofore vested in the board of water commissioners and sewer commissioners or other corporations are not to be impaired or affected by anything herein contained, but the rights and privileges hereby granted are subject thereunto.

SEC. 9. The same company shall keep, maintain, use and enjoy the right to operate railway cars and carriages under the terms and restrictions herein provided for and during the term of twenty years from and after the passage of this ordinance, and after the expiration of the time fixed in this ordinance, and until the city council thereafter elect, by order for that purpose, to grant the privilege to some person, persons, party or parties, corporation or company, to purchase said tract or tracts of said railway company, cars, carriages, furniture and implements and appurtenances of every kind and description then used by said company in the operation of said railways, and to pay for the same in a manner hereinafter mentioned.

SEC. 10. Such order to purchase shall fix the time when said person, persons, party or parties, corporation or company will take such railway and other property herein mentioned which shall not be less than six months after the passage of said order, and at the time of taking such railway and other property herein mentioned the said person, persons, party or parties, corporation or company, shall pay to the party or parties operating the same the sum of money to be ascertained by three commissioners, to be appointed for that purpose, as follows: One to be chosen by said person or parties from the disinterested freeholders of Cook county; one in like manner by the said company, its associates or successors, operating said road, and the two persons so chosen, one from said freeholders.

SEC. 11. The tracks hereby authorized shall be deemed an extension of the tracks already laid by said company on Milwaukee avenue, Clinton, Halsted, Randolph and Madison streets, or either of them, and no additional fare shall be charged over the line so extended by virtue of this ordinance.

SEC. 12. This ordinance shall take effect and be in force on and after its passage and acceptance by said railway company.

(*Special Ordinances, pp. 1355-7.*)

AN ORDINANCE AUTHORIZING AN EXTENSION OF THE
STREET RAILWAYS ON LAKE STREET AND MILWAUKEE
AVENUE. (Passed November 29, 1880.)

*Be it Ordained by the City Council of the City of
Chicago:*

SECTION I. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, permission and authority is hereby given to said company to extend its railways now in use on Lake street and Milwaukee avenue, and for that purpose the said company may construct a double and single track railway, as hereinafter mentioned, with all the necessary side-tracks, curves, turn-outs and switches; that is to say, a double track on Milwaukee avenue from the tracks now in use thereon, at the intersection of Clinton street, to Lake street, and to a connection with the tracks of said company on said Lake street, and a double track on Lake street from the tracks of said company on said street at Rockwell street to Central Park, and from the tracks of said company now in use on Lake street at Union Park easterly on said Lake street to Lake street bridge and over and along said bridge and Lake street to the east line of State street, and thence with a single track to the east line of Wabash avenue, and the said company may maintain and operate its railways, extended as aforesaid, upon the terms and conditions and subject to the restrictions mentioned in this ordinance, for the period of twenty years from the passage thereof, and the rate of fare shall not exceed five cents for each passenger for any continuous travel of one trip; and the said company is hereby authorized to use and operate its cars upon the tracks of

the Chicago City Railway Company now in use, or which may be hereafter authorized, for the purpose of connecting the different lines of said Chicago West Division Railway Company; provided, the consent of said Chicago City Railway Company to such use of said lines is first obtained.

SEC. 2. Each of said tracks shall be laid as near the center of the street as practicable, and shall not be laid nearer than twelve feet of the sidewalk, except in turning street corners, and then no nearer than may be required to make the necessary curves. The cars shall be used for no other purpose than the transportation of passengers and their ordinary luggage by said company, and shall be operated by animal power only.

SEC. 3. The tracks herein authorized shall be laid and the lines in operation by the first day of June, 1881; provided, that if said company be delayed by the order or writ of any court from proceeding with the work, the time of such delay shall be excluded from the time prescribed herein for the completion of said railways; and if said company shall fail to complete said tracks within the time prescribed, the rights and privileges hereby granted may be declared null and void.

SEC. 4. The said company, as respects the grading, paving, macadamizing, filling, planking, repairing or using of said street and avenue upon which they shall construct said railways, or any of them, shall keep sixteen feet in width, where two tracks are laid, and eight feet in width, where one track is laid, in good repair and condition during all the time to which the privileges hereby granted shall extend, in accordance with whatever order or regulation respecting the ordinary repair thereof may be passed or adopted by the city council; and when any

new improvement, paving, repairing, planking, filling or other improvemet of like character shall be ordered by the city council thereon, said company shall, in the manner required by the city authorities of the owners of property fronting on said street and avenue, make such new improvement for the width of sixteen feet, where two tracks are laid, and eight feet, where one track is laid; and if said company fails to do so, it may be done by the city and the cost thereof collected of said company.

SEC. 5. The city council shall have power at all times to make such regulations as to the rate of speed and time of running said cars as the public safety and convenience may require.

SEC. 6. If the City of Chicago shall hereafter, during the term of the license hereby granted, provide by ordinance for the construction of a large, four-track bridge over the Chicago river at Lake street, to be operated by steam or other power to be used, and take the place of the existing bridge over said river on said Lake street, in consideration of the increased facilities which such a structure would afford to the Chicago West Division Railway Company in crossing said river, said company agrees to pay to the City of Chicago, as required by the city during the progress of its construction, one-half the first cost of such structure, including pier, abutments and steam or other machinery, and a further sum of \$1,000 per annum, payable quarterly, towards defraying the expense of operating and repairing said Lake street bridge, and making any renewals, improvements, enlargements and replacements thereof. Such annual payments to commence whenever the new structure is ready for use, and to be continued every year thereafter until the termination of the license hereby granted, which payments, on ac-

count of the cost of such bridge, and annual payments before mentioned, are understood and agreed to be in lieu of all special assessments which could or might be made against said company or its property for or on account of the construction of such bridge and all approaches thereto; and for and on account of the operation and repair of the same; and for all renewals, improvements, enlargements and replacements thereof, and are to fully relieve and discharge said company from all other and further obligations on account thereof.

SEC. 7. And in further consideration of the privileges and immunities hereby granted, the said railway company shall pay into the treasury of the City of Chicago, for the use of said city, an annual license fee of fifty dollars, and no more, per car for the daily average number of cars regularly used in the operation of the tracks on said Lake street, and on said Milwaukee avenue hereby licensed, and which shall be run over said Lake street bridge; but in computing the number of cars upon which such license charge may be imposed, all irregular or extra cars occasionally operated shall be included upon the basis of thirteen round trips being equivalent to one day's use of one car. The president or other officer of said company shall make, under oath, a true report of the whole number of cars operated on said tracks and bridge as herein provided, and at the same time pay to the city treasurer the amount so shown to be due the city as such license fee. The first of which reports shall be made three months after said company shall commence the running of its cars over said tracks and bridge, and thereafter quarter-yearly during the continuance of the license hereby granted; provided, that the license fee on the Milwaukee avenue and Lake street cars is to be paid from the time they commence crossing the river at Lake street.

SEC. 8. If the said company shall at any time fail or refuse to comply with any of the provisions of this ordinance, after thirty days' notice from the commissioner of public works, then the license and privileges hereby granted may, upon application to any court, be declared forfeited.

SEC. 9. Over the extension from Rockwell street to Central Park, unless prevented by causes beyond the control of said company, cars shall be run as often as every fifteen minutes during business hours, and a car shall leave the eastern end of the line for Central Park every evening at or about 11 o'clock.

SEC. 10. This ordinance shall take effect when accepted by said railway company, but such acceptance shall be within thirty days from the passage thereof, otherwise it shall be null and void.

(Special Ordinances, pp. 1357-60.)

AN ORDINANCE TO AUTHORIZE THE CHICAGO WEST DIVISION RAILWAY COMPANY TO EXTEND ITS STREET RAILWAY TRACKS ON OGDEN AVENUE. (Passed February 7, 1881.)

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago West Division Railway Company, its successors and assigns, is hereby granted permission and consent to construct, maintain and operate a single or double-track extension of its railway on Ogden avenue from its present terminus at or near Western avenue to the western limits of the City of Chicago, with all necessary turn-outs, switches and side-tracks, for a period of twenty years from the passage of this ordinance, subject to the provisions embraced and contained in an ordinance dated February 28, 1876, and amendments thereto, for the extension of tracks on Ogden avenue, and with all the privileges applicable to the line of said company on Ogden avenue, from Madison street to Western avenue, and to the other and further conditions and provisions hereinafter mentioned.

SEC. 2. Said permission and consent to extend shall be conditional upon the acceptance by said Chicago West Division Railway Company of this ordinance within ten days after its passage and approval by the mayor, and their agreement to comply with all its conditions, and upon the further condition that said tracks shall be laid and in actual operation from Western avenue to the western line of Douglas Park on or before the first day of June, 1881, and from the western line of Douglas Park to Lawndale as soon as the same can be constructed, operated and kept in repair without actual loss.

SEC. 3. The right to construct and operate said railways through Douglas Park shall be subject to the consent of the West Chicago Park Commissioners.

SEC. 4. The said tracks hereby authorized shall be deemed an extension of the line now operated on Ogden avenue, and no additional fare shall be charged over the line so extended by virtue of this ordinance.

SEC. 5. The said Chicago West Division Railway Company, its successors or assigns, shall, as respects the grading, paving, macadamizing, filling or planking of said Ogden avenue, upon which they shall construct said railways, or any of them, keep sixteen feet in width where a double track is used, and eight feet in width where a single track is used, in good repair and condition, so that wagons, carriages and other vehicles can pass and repass at any and all points, and in any and all directions. And when any new improvements, filling, paving, repaving, macadamizing or planking is ordered by the city council in said Ogden avenue, said railway company shall, in like manner and with like material as is required of the owners of the property, as to other contiguous parts of said avenue in which said railways shall be constructed, make such new improvements on eight feet in width, where a single track is used, and sixteen feet in width, where a double track is used, and if the said railway company shall refuse or neglect to make such new improvement within a reasonable time, to be fixed by the ordinance ordering the same, the work may be done by the City of Chicago and the cost thereof assessed upon said company and collected as other assessments from any real or personal property of said company.

SEC. 6. This ordinance shall take effect and be in force from and after its passage.

(Special Ordinances, pp. 1360-1.)

AN ORDINANCE GRANTING AUTHORITY TO THE CHICAGO WEST DIVISION RAILWAY COMPANY TO OPERATE UPON AND ALONG LEAVITT STREET, FROM CHICAGO AVENUE TO INDIANA STREET. (Passed July 17, 1882.)

Be it Ordained by the City Council of the City of Chicago:

SECTION 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions hereof, authority is hereby granted and duly vested in said company, its successors and assigns, to construct, maintain and operate a single or double track street railway, with all necessary side-tracks, curves and turn-outs, for a period of twenty years from the passage hereof, upon, in and along Leavitt street, from the tracks of said company on Chicago avenue, to connect with the tracks of said company on Indiana street, upon the same terms and conditions, and with the same rights and privileges as are applicable by existing ordinances to the tracks on said Chicago avenue and Indiana street, the same to be completed within sixty days following the passage of this ordinance.

SEC. 2. Unless the said railway track shall be laid and completed within sixty days from the passage of this ordinance all rights and privileges hereby granted shall utterly cease and determine, and the rights, respectively, of the City of Chicago and the Chicago West Division Railway Company shall be as if said ordinance had never passed.

(Special Ordinances, p. 1362.)

AN ORDINANCE RELATING TO THE ANNUAL LICENSE FEE TO BE PAID BY VARIOUS STREET RAILWAY COMPANIES AND THE MANNER OF COMPUTING AND ARRIVING AT THE AMOUNT AND ALSO EXTENDING THE TIME FOR THE OPERATION OF THE SEVERAL LINES TWENTY YEARS. (Passed July 30, 1883. Accepted by North Chicago City Railway company August 8, 1883; by the Chicago City Railway company and by the Chicago West Division Railway company August 10, 1883.)

1. *Annual license fee, how computed.*] Be it ordained by the city council of the city of Chicago: § 1. That each one of the corporations known as the Chicago City Railway Company, the North Chicago City Railway Company and the Chicago West Division Railway Company shall pay into the city treasury of the city of Chicago, for the use of the said city, the sum of fifty dollars, as an annual license fee, for each and every car used by such companies, respectively, in the manner following: In computing the number of cars upon which such license charge may be imposed, thirteen round trips, when a car is used in the transportation of passengers, shall be taken as equivalent to one day's use of one car. One-thirteenth of such round trips during each quarter shall be divided by the number of days in such quarter; such quotient shall be the number of cars subject to such license fee. The president or other chief officer of each company shall, under oath, make a report quarter yearly to the comptroller of the city of the whole number of cars so run by said company, and at the same time pay to said comptroller twelve dollars and fifty cents for each car, to be ascertained as prescribed by this section. The first quarter shall end the last day of October next, and the report

shall be made within ten days after the end of each quarter.

2. *Improvement and repair of streets.*] § 2. Each one of said railway companies shall hereafter, as respects the filling, grading, paving, or otherwise improving or repairing the streets or parts of streets upon which it has constructed its railways, or any of them, fill, grade, pave, and keep in good repair during all of the time the privilege of using the said streets, or parts of streets, shall extend eight feet in width where a single track is used, or sixteen feet in width where a double track is used, the said eight or sixteen feet to include the railway track or tracks, in accordance with such ordinances as the city council may pass respecting such filling, grading, paving or repairing, and the same shall be done by the railway companies with like material, in like manner, and at the same time as required as to the rest of said street not embraced in the eight or sixteen feet in width, except that it may use stone as now authorized, or such other material as may hereafter be authorized by the city council of said city for the space between the rails of each track, and as respects the crossing of the tracks of any one or more of said companies over a bridge or viaduct, or approaches thereto, and the construction, improvement, or repair of the same, such company shall only be required to plank, pave, and keep in good repair the space occupied by its track; the planking or paving to be done in the manner to be agreed upon between the said company and the commissioner of public works.

3. *Bond, \$50,000.*] § 3. Each of said companies shall execute to the city a bond in the penal sum of fifty thousand (\$50,000) dollars, with a condition that if said company shall faithfully comply with this ordinance then

said bond shall be void, otherwise to remain in full force and effect. It is expressly understood, however, that the remedy on said bonds, or any of them, shall be considered as merely cumulative, and that the said city may, notwithstanding the execution of said bonds or any of them, have the same remedies against each of said companies as it would or might have if no such bond was executed.

4. *Back license fees—costs in test suits.*] § 4. Said railway companies shall each respectively, within thirty days from the passage hereof, pay into the city treasury a sum of money equal to twenty-five dollars per car per annum for each car used by said companies, respectively, from the first day of April, 1878, to the first day of August, 1883, to be computed and verified as provided in section one of this ordinance, and such payment and the license fee herein fixed shall be in lieu of all other license fees to be paid by each of said companies, and all other taxes excepting such taxes upon the property of said companies, respectively, as are or may be authorized by general law of the legislature; and all ordinances heretofore passed, requiring said companies to pay license fees are hereby repealed, and said railway companies and all other persons are hereby discharged from all liability upon any bonds given to said city in any proceedings involving the validity of said ordinance; Provided, however, that the said railway companies shall pay all costs incurred in all suits between the said railway companies, and each of them, and the City of Chicago, or between the owners of stock or stockholders of said railway companies, and each of them, and the City of Chicago, and said railway companies, or any of them, involving the question of the validity of a certain ordinance of said

city, passed March 18, 1878, imposing an annual license fee of fifty dollars upon each car operated and run, or proposed to be operated and run, by any person, firm, or corporation engaged in the occupation of operating and running street cars, for the conveyance of passengers, upon any line of horse or city railway within the City of Chicago, and shall also pay all the fees of the solicitors of the City of Chicago in and concerning said litigation.

5. *Extension of terms of certain ordinances 20 years.*] § 5. In consideration of the acceptance by said companies of this ordinance and the several covenants and undertakings herein mentioned, on behalf of the several city railway companies mentioned herein, and the execution of the said bonds, permission and authority is hereby given to the several railway companies herein mentioned respectively to use and operate, for twenty years from the passage hereof, the several railways now used or operated by said companies, or either of them, or now authorized to be used and operated; but nothing in this section contained, or the acceptance hereof, shall in any manner impair, change or alter the existing rights, duties and obligations of the city or of said companies respectively, from and after the expiration of the said term of years hereinbefore mentioned.

6. *When in force—bonds.*] § 6. This ordinance shall take effect when all of said railway companies shall accept the same and execute the bonds hereinbefore mentioned, and file the same in the office of the city comptroller.

(*Special Ordinances, pp. 990-2.*)

See following amendatory ordinance.

AN ORDINANCE AMENDING AN ORDINANCE RELATING TO THE ANNUAL LICENSE FEE TO BE PAID BY VARIOUS STREET RAILWAY COMPANIES AND THE MANNER OF COMPUTING AND ARRIVING AT THE AMOUNT AND ALSO EXTENDING THE TIME FOR THE OPERATION OF THE SEVERAL LINES TWENTY YEARS, PASSED JULY 30, 1883. (Passed August 6, 1883. Accepted by North Chicago City Railway company August 8, 1883; by the Chicago City Railway company by the Chicago West Division Railway company August 10, 1883.)

1. *Amending sections 4 and 5 of foregoing ordinance.*] Be it ordained by the city council of the City of Chicago: That sections four and five of an ordinance concerning the Chicago City Railway Company, the North Chicago City Railway Company, and the Chicago West Division Railway Company, be amended so as to read as follows:

2. *Section 4 as amended.*] § 4. Said railway companies shall each, respectively, within thirty days from the passage hereof, pay into the city treasury a sum of money equal to \$25 per car per annum, for each car used by said companies, respectively, from the first day of April, 1878, to the first day of August, 1883, to be computed and verified as provided in section 1 of this ordinance, and such payment and the license fee herein fixed shall be in lieu of all other license fees to be paid by either of said companies, and all other taxes excepting such taxes upon the property of said companies respectively as are or may be authorized by general law of the legislature; and all provisions of ordinances heretofore passed requiring said companies, or either of them, to pay license fees, are hereby repealed, and said railway com-

panies and all other persons are hereby discharged from all liability upon any bonds given to said city in any proceeding involving the validity of said ordinance; Provided, however, that the said railway companies shall pay all costs incurred in all suits between said railway companies, and each of them, and the city of Chicago, or between the owners of stock, or stockholders, of said railway companies, and each of them, and the City of Chicago, and said railway companies, or any of them, involving the question of the validity of a certain ordinance of said city, passed March 18, 1878, imposing an annual license fee of fifty (50) dollars upon each car operated and run, or proposed to be operated and run, by any person, firm or corporation engaged in the occupation of operating and running street cars for the conveyance of passengers, upon any line of horse or city railway within the city of Chicago, and shall also pay all the fees of the solicitors of the city of Chicago in and concerning said litigation.

3. *Section 5 as amended.*] § 5. In consideration of the acceptance by said companies of this ordinance and the several covenants and undertakings herein mentioned, on behalf of the several city railway companies mentioned herein, and the execution of the said bonds, the times named for the operation of the railways now used or operated by either of said railway companies in the ordinances heretofore passed, granting permisison and authority to construct, maintain and operate street railways in the streets of said city, are hereby extended twenty years from the passage hereof, but nothing in this section contained, or the acceptance hereof, shall in any manner impair, change or alter the existing rights, duties and obligations of the city, or of said companies respectively,

from and after the expiration of the said term of years hereinbefore mentioned.

4. *When in force—bonds.*] § 6. This ordinance shall take effect when all of said railway companies shall accept the same and execute the bonds hereinbefore mentioned and file the same in the office of the city comptroller.

(Special Ordinances, pp. 992-3.)

AN ORDINANCE GRANTING PERMISSION TO THE CHICAGO WEST DIVISION RAILWAY COMPANY TO CONSTRUCT AND OPERATE UPON NOBLE AND SUNDRY OTHER STREETS. (Passed May 11, 1885. Accepted June 15, 1885.)

Be it Ordained by the City Council of the City of Chicago:

1. *Grant—route.*] § 1. That in consideration of the acceptance hereof, and the undertaking by the Chicago West Division Railway Company to comply with the provisions hereof contained, authority, permission and consent are hereby given, granted and duly vested in said company, its successors and assigns, to construct, operate and maintain, for a period of twenty years from and after the passage hereof, a single or double-track horse railway, with all the necessary turn-outs, side-tracks, switches and curves, in, upon and along the following named part of streets, and as near the center of each of the same as may be practicable, to-wit: Noble street, from its intersection with Milwaukee avenue northerly to Blackhawk street, thence westerly on Blackhawk street to Holt street, thence northerly on Holt street to North avenue, thence westerly on North avenue to North Ashland avenue, thence northerly on North Ashland avenue to Clybourn avenue, thence westerly on Clybourn avenue to the west line of Wood street.

2. *Tracks—how operated.*] § 2. The tracks hereby authorized shall be operated in connection with the railways of said company now operated on said Milwaukee avenue at Noble street, and shall be held to be an extension thereof, and subject to the laws and ordinances now

in force applicable thereto, including Sections 1 and 2 of the ordinance of July 30, 1883, except as herein otherwise provided, and shall be completed on or before November 1, 1885.

3. *Fare, passenger traffic, etc.*] § 3. The rate of fare for any distance of one trip on the same car shall not exceed five cents, except where cars or carriages shall be chartered for special purposes, and the said tracks and railways shall be used for the transportation of passengers only, and the cars or carriages shall be of the same style as those now in used by said company.

4. *Street improvements, repairs, etc.*] § 4. Consent and authority is hereby given to the said company to pave and keep in repair with cobble stone the railways herein mentioned, and where it is deemed practicable, in the estimation of the commissioner of public works, block stone may be laid outside of the rails on that portion of the streets required to be paved and kept in repair by said company; provided, that the same shall be done to the satisfaction of the department of public works.

5. *Forfeiture.*] § 5. If the said company fail to complete the said railways hereby authorized at the time mentioned and provided, and according to the conditions prescribed herein, then the rights and privileges granted by virtue hereof shall be and become void; provided, that if the said company is delayed by the writ or order of any court, the time of such delay shall be excluded from the time above prescribed for completing the same.

6. *When to take effect.*] § 6. This ordinance shall be in force on and after its passage and acceptance by the said railway company.

(*Special Ordinances, pp. 1363-4.*)

AN ORDINANCE GIVING CONSENT TO THE CHICAGO WEST DIVISION RAILWAY COMPANY TO CONSTRUCT AND OPERATE A RAILWAY UPON DIVISION STREET, FROM MILWAUKEE AVENUE TO 200 FEET WEST OF CALIFORNIA AVENUE. (Passed December 7, 1885. Accepted December 31, 1885.)

Be it Ordained by the City Council of the City of Chicago:

1. *West Division street extension.*] § 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, authority, permission and consent are hereby given, granted and duly vested in said company, its successors and assigns, to construct, operate and maintain, for a period of twenty years from and after the passage hereof, a single or double-track horse railway, with all the necessary turn-outs, side-tracks, switches and curves in, upon and along West Division street, and as near the center of said street and its intersection with Milwaukee avenue as practicable, from Milwaukee avenue to a point 200 feet west of California avenue.

2. *Tracks, how operated, etc.*] § 2. The tracks hereby authorized shall be operated in connection with the railways of said company now operated on said Milwaukee avenue at Division street, and shall be held to be an extension thereof, and subject to the laws and ordinances now in force applicable thereto, including Sections 1 and 2 of the ordinance of July 30, 1883, except as herein otherwise provided, and shall be completed on or before July 1, 1886.

3. *Fare—passenger transportation only.*] § 3. The rate of fare for any distance of one trip on the same car shall not exceed five cents, except where cars or carriages shall be chartered for special purposes, and the said tracks and railways shall be used for the transportation of passengers only, and the cars or carriages shall be of the same style as those now in use by said company.

4. *Street improvements, repairs, etc.*] § 4. Consent and authority is hereby given to the said company to pave and keep in repair, with cobblestone, the railways herein mentioned, and where it is deemed practicable, in the estimation of the commissioner of public works, block stone may be laid outside of the rails on that portion of the streets required to be paved and kept in repair by said company; provided, that the same shall be done to the satisfaction of the department of public works.

5. *Forfeiture.*] § 5. If the said company fail to complete the said railways hereby authorized at the time mentioned and provided, and according to the conditions prescribed herein, the rights and privileges granted by virtue hereof may be declared void; provided, that if the said company is delayed by the writ or order of any court, the time of such delay shall be excluded from the time above described for completing the same.

6. *When in force.*] § 6. This ordinance shall be in force from and after its passage and acceptance by the said railway company.

(Special Ordinances, pp. 1365-6.)

AN ORDINANCE GRANTING CONSENT TO THE CHICAGO WEST DIVISION RAILWAY COMPANY TO MAINTAIN AND OPERATE TRACKS ON EIGHTEENTH STREET. (Passed December 7, 1885. Accepted December 31, 1885.)

Be it Ordained by the City Council of the City of Chicago:

1. *Eighteenth street and Blue Island avenue extension.*] § 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, authority and consent are hereby given to said railway company to construct, maintain and operate, for a period of twenty years from the passage hereof, a double-track street railway, with all the necessary and convenient curves, side-tracks, switches and turn tables, to-wit: connecting with the tracks of said company on Halsted street as an extension thereof, thence westerly on and along Eighteenth street to Blue Island avenue, and connecting with the tracks thereon, thence westerly on the said Eighteenth street to Oakley avenue.

2. *Animal power—passenger transportation only.*] § 2. The railways hereby authorized shall be operated by animal power only, and shall be used for the transportation of passengers and their ordinary luggage only, and shall be laid as near the center of the street as may be practicable, and not nearer than twelve feet of the sidewalk, except in turning street corners, and then no nearer than may be necessary to make the required curves.

3. *Street improvements, repairs, etc.*] § 3. The said company, as to the grading, paving, macadamizing, fill-

ing, repairing or using of said streets, upon which shall be constructed said railways, or any of them, shall keep sixteen feet in width in good repair and condition during all the time to which the privileges hereby granted shall extend, in accordance with whatever order or regulation respecting such filling, grading, paving or repairing as may be passed or adopted by the city council; and when any repairing, planking, filling or other improvement of like character shall be ordered by the city council thereon, said company shall, in the manner required by the city authorities of the owners of property fronting on said streets, make such new improvements for the width of sixteen feet, where two tracks are laid, and eight feet where one track is laid; and if said company fails so to do, the same may be done by the city and the cost thereof collected of said company.

4. *Tracks, requirements as to.*] § 4. The tracks hereby authorized shall be laid with modern improved rails, and shall not be laid above the surface of the street, and shall be so laid that carriages and other vehicles can easily and freely cross at any and all points, and in any and all directions; said tracks shall be laid and the railway in operation between Halsted street and Ashland avenue by the first day of July, 1886, and between Ashland avenue and Oakley avenue as soon as that part of Eighteenth street is paved, and said company shall pay its proportion of the cost of said paving, in accordance with the terms of Section 3 hereof.

5. *Fare, continuous passage.*] § 5. The rate of fare shall not exceed five cents for each passenger for any continuous passage of one trip upon the line of said company as extended under this ordinance, except where cars may be chartered for some specific purpose.

6. *Fifty dollars license fee per car.*] § 6. The provision of Section 1 of an ordinance entitled "An ordinance concerning street railways in the City of Chicago," passed July 30, 1883, and the license fee of \$50 per car, as therein imposed, shall extend to the cars to be operated on the railways hereby authorized.

7. *Street improvements, conditions, etc.*] § 7. The privileges hereby granted are upon the further express condition that said railway company shall first pay to the city, for the use of those paying the assessment therefor, an amount equal to the cost of paving a strip sixteen feet in width (which shall include the tracks hereby authorized), of the paving already laid on Eighteenth street from Halsted street to Ashland avenue, and that the track shall be laid between Ashland and Oakley avenues, as nearly as may be, at the time the same is paved.

8. *Forfeiture.*] § 8. If said company shall fail to comply with any of the terms and conditions of this ordinance, or to complete its railway as prescribed by Section 4 hereof, the rights and privileges hereby granted may be declared null and void.

9. *When in force.*] § 9. This ordinance shall take effect upon said company filing with the city clerk its acceptance of the same and agreement to comply with its provisions, provided such acceptance shall be filed within thirty (30) days of the passage hereof, otherwise this ordinance to be void and of no effect.

(*Special Ordinances, pp. 1366-7.*)

AN ORDINANCE GIVING AUTHORITY AND CONSENT TO THE CHICAGO WEST DIVISION RAILWAY COMPANY TO EXTEND ITS TRACKS IN AND UPON VAN BUREN STREET. (Passed December 7, 1885. Accepted December 21, 1885.)

Be it Ordained by the City Council of the City of Chicago:

1. *Van Buren street extension west.*] § 1. That authority and consent are hereby granted to the Chicago West Division Railway Company and its successors to construct, maintain and operate, for a period of twenty years from and after the passage hereof, an extension of its tracks now operated on Van Buren street, to-wit: A double track street railway, with all necessary curves, switches and turn-outs, commencing at Western avenue at its intersection with Van Buren street, and connecting with the tracks of said company thereat, and extending westerly in, on and along Van Buren street, and as near the center thereof as may be practicable, to the west line of Kedzie avenue.

22. *Terms and conditions.*] § 2. The rights and privileges hereby granted shall be subject, except as herein otherwise provided, to the like terms and conditions as provided by the ordinances heretofore passed, granting the rights to construct, maintain and operate the tracks of said company on Van Buren street, east of Western avenue, including also the provisions of Sections 1 and 2 of an ordinance entitled "An ordinance concerning street railways in the City of Chicago," passed July 30, 1883.

3. *Improvements of streets, etc.*] § 3. The tracks hereby authorized shall be laid as soon as the street where-

in said tracks are to be laid shall be paved, and the laying of the tracks shall proceed with said paving;

Provided, further, that said company shall pay its proportion of the cost of said paving in accordance with the provisions of Section 2 hereof.

4. *When to take effect.*] § 4. This ordinance shall be in force from and after its passage and acceptance by said railway company, provided such acceptance shall be filed with the city clerk within thirty (30) days from and after the passage hereof; otherwise this ordinance to be void and of no effect.

(*Special Ordinances, p. 1368.*)

AN ORDINANCE VESTING AUTHORITY IN THE CHICAGO
WEST DIVISION RAILWAY COMPANY TO MAINTAIN
AND OPERATE TRACKS ON EIGHTEENTH STREET, ETC.
(Passed December 9, 1885. Accepted December 31,
1885.)

*Be it Ordained by the City Council of the City of
Chicago:*

1. *Grant extended.*] § 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company to comply with the provision herein contained, authority, permission and consent are hereby given, granted and duly vested in said company, its successors and assigns, to construct, maintain and operate, for a period of twenty years from and after the passage hereof, a single or double-track horse railroad, with necessary turn-outs, switches, side-tracks and curves, in, upon and along the following named parts of streets, and as near the center thereof as is practicable, viz.: On Leavitt street, from a connection with the tracks of said company about to be laid on Eighteenth street, and as an extension thereof, thence south on said Leavitt street to a connection with the tracks of said company on Blue Island avenue, and on Ogden avenue, from a connection with the tracks of said company on Madison street and Ogden avenue to a connection with the tracks of said company on Randolph street, and the tracks hereby authorized shall be completed on or before the first day of July, 1886.

2. *Tracks.*] § 2. The tracks hereby authorized on Ogden avenue shall be held and construed to be an extension of the tracks of said company now operated on Ogden avenue, and shall be subject to the laws and ordi-

nances now in force applicable thereto, including Sections 1 and 2 of an ordinance passed July 30, 1883, entitled "An ordinance concerning street railways in the City of Chicago."

3. *Extension.*] § 3. The tracks hereby authorized on Leavitt street shall be held and construed to be an extension of the tracks of said company now authorized or hereafter to be authorized, to be constructed on Eighteenth street, and shall be subject to like provisions respecting the tracks authorized or to be authorized on said Eighteenth street.

4. *Fare—passenger transportation only.*] § 4. The rate of fare on the cars operated on the tracks hereby authorized and the lines connecting therewith shall not exceed five cents for each passenger for any continuous passage of one trip on the same car, except where cars may be chartered for some specific purpose; and the cars shall be used for the transportation of passengers and their ordinary baggage only.

5. *Forfeiture.*] § 5. If the said company fails to complete the railways hereby authorized at the time mentioned and provided and according to the conditions prescribed herein, the rights and privileges granted by virtue hereof may be declared null and void; provided, that if said company is delayed by the writ or order of any court, the time of such delay shall be excluded from the time above prescribed for completing the same.

6. *When in force.*] § 6. This ordinance shall be in force from and after its passage and acceptance by said company.

(*Special Ordinances, pp. 1369-70.*)

AN ORDINANCE GRANTING AUTHORITY TO THE NORTH CHICAGO CITY RAILWAY COMPANY AND THE CHICAGO WEST DIVISION RAILWAY COMPANY TO MAKE CONNECTION BETWEEN THEIR LINES ON NORTH HALSTED STREET BRIDGE. (Passed March 1, 1886.)

Be it Ordained by the City Council of the City of Chicago:

1. *Joint grant—term—rate of fare.*] § 1. That in consideration of the acceptance hereof and the undertaking of the North Chicago City Railway Company and the Chicago West Division Railway Company, respectively to comply with the provisions herein contained, permission and authority is hereby given to the North Chicago City Railway Company to construct, maintain and operate a double-track railway on North Halsted street, with all the necessary side-tracks, turn-outs and switches, from the intersection of said Halsted street with Clybourn avenue, on and along said Halsted street, to the center of the north branch of the Chicago river, at such points and in such way that they make connections with the tracks of the Chicago West Division Railway Company at such center of the river, thereby making continuous lines of railways on North Halsted street between the north and west divisions of said city, and for this purpose the last-named company is hereby authorized to construct, maintain and operate a double-track railway, with all the necessary side-tracks, turn-outs and switches, from the present point of intersection of the tracks of the last-named company on North Halsted street with Indiana street, in and along North Halsted street to the center of the north branch of the Chicago river, and said companies may, respectively, maintain and operate, jointly or separately,

as they may agree, said railway tracks upon the terms and conditions and subject to the restrictions mentioned in this ordinance, for the period of twenty years after the passage hereof; and the rate of fare for any distance on the cars of said companies, operated on the tracks hereby authorized or heretofore constructed or authorized to be constructed on said North Halsted street, shall not exceed five cents for each passenger for any continuous passage of one ride; and when any car on said North Halsted street shall not run for the full length of the tracks used by either or both of said companies, a transfer ticket shall be given to each passenger who shall have paid fare, and shall request the same, which shall be good to such passenger for the fare, if presented at the next following car, at the place of such transfer, in any other Halsted street car, running on North and South Halsted street, in the same direction, and not otherwise, so as to make the fare five cents for a continuous passage in the same direction on North and South Halsted street.

2. *Tracks, how laid.*] § 2. The tracks hereby authorized shall be laid as near the center of the street as may be practicable, and the cars to be used shall be equal to those now in use by said companies, and shall be used for no other purpose than the transportation of passengers and their ordinary luggage, and shall be operated by animal power, and not otherwise.

3. *Time of completion.*] § 3. The tracks hereby authorized shall be completed before the first day of November, 1888; provided, however, that if the said companies, or either of them, shall be delayed by the order or writ of any court from proceeding with the work, suitable time, equal to the time of such delay, shall be added to the time herein prescribed for the completion of said

tracks; but if, otherwise, the said companies, or either of them, shall fail to complete the said tracks within the time mentioned, the city may revoke the authority so far as such tracks are not completed.

4. *License fee.*] § 4. Each of said companies, respecting the license fees which may be respectively imposed on said companies or on the cars operated on the tracks hereby authorized, shall be subject to the provisions of Section 1 of an ordinance entitled "An ordinance concerning street railways in the City of Chicago," passed July 30, 1883, and approved by the mayor August 6, 1883.

5. *Street improvements, repairs, etc.*] § 5. Said companies, respectively, as respects the grading, paving, macadamizing, filling or planking of said North Halsted street, or parts thereof, upon which they shall construct their said railways, or any of them, shall keep sixteen feet in width, including the tracks, in good repair and condition during all the time to which the privileges hereby granted shall extend, in accordance with whatever order or regulation respecting the ordinary repairs thereof may be passed or adopted by the city council; and when any new improvements shall be ordered by the city council thereon, the said companies shall, respectively, make such new improvements with like materials and in like manner and at the same time as required as to the rest of the street not embraced in the sixteen feet, except that they may use stone as now authorized, or such other material as may be hereafter authorized by the city council of said city for the space between the rails of said tracks, and as respects the crossing of the tracks of said companies, or either of them, over a bridge or viaduct, or approaches thereto, and the construction, improvement or repair of

the same, such company shall only be required to plank or pave and keep in repair the space occupied by its tracks, the planking or paving to be done in the manner to be agreed upon between such company and the commissioner of public works.

6. *When to take effect.*] § 6. This ordinance shall take effect when it shall have been accepted by said railway companies; provided, the same shall be accepted within thirty days after its passage.

(*Special Ordinances, pp. 1445-7.*)

AN ORDINANCE AUTHORIZING THE CHICAGO WEST DIVISION RAILWAY COMPANY TO CONSTRUCT AND OPERATE RAILWAY TRACKS ON LAKE STREET, FROM HOMAN TO CRAWFORD AVENUES. (Passed July 15, 1886.)

Be it Ordained by the City Council of the City of Chicago:

1. *Grant extended—Lake street, etc.]* § 1. That in consideration of the acceptance hereof and the undertaking of the Chicago West Division Railway Company to comply with the provisions herein contained, consent and authority are hereby given to said railway company, its successors and assigns, to construct, maintain and operate, for a period of twenty years from and after the passage hereof, subject to the conditions and restrictions herein contained, a double-track railway, with all the necessary curves, side-tracks and switches, from and connecting with the tracks of said company now laid on said Lake street at Homan avenue, in, on and along said Lake street westerly to Crawford avenue, and also tracks connecting said tracks hereby authorized with the car houses and stables of said company now constructed or hereafter to be constructed, on lots 1 and 2 of the Superior Court partition of the southwest quarter of Section 11, of township No. 39, in said city.

2. *Tracks, cars, etc.—passenger transportation only.]* § 2. The tracks hereby authorized shall be laid as near the center of said Lake street as may be practicable; and the cars to be used shall be equal to those now in use by said company, and shall be used for no other purpose than the transportation of passengers and their ordinary luggage, and shall be operated by animal power only.

3. *Street improvements, repairs, etc.*] § 3. Said railway company, as respects the grading, paving, macadamizing, filling or planking of said Lake street, or parts thereof, where it shall have constructed its said tracks, hereby authorized, shall keep sixteen feet in width, which shall include its said tracks, in good repair and condition during all the time to which the privileges hereby granted shall extend, in accordance with whatever order or regulation respecting the ordinary repairs thereof may be passed or adopted by the city council; and when any new improvements of like character shall be ordered by the city council thereon said company shall make such new improvements for the said sixteen feet, with like materials and in like manner, and at the same time as required as to the rest of such part or parts of said Lake street now embraced in the sixteen feet (except that it may use stone, as now authorized, or such other materials as may be hereafter authorized by the city council of said city for the space between the rails of said tracks), and if said company shall fail to do so, then the city may make such improvement for said sixteen feet and collect the costs thereof from said company; and as respects the crossing of the said tracks hereby authorized over a bridge or viaduct, or approaches thereto, and the construction, improvement or repairs of the same, said company shall only be required to plank or pave and keep in repair the space occupied by its tracks, the planking or paving to be done in a manner to be agreed upon between said company and the commissioner of public works.

4. *Fare, running time, etc.*] § 4. The rate of fare shall not exceed five cents for each passenger for any continuous passage on the entire Lake street line, except where cars may be chartered for some specified purpose. All cars run on said Lake street line to Homan avenue

shall, when the line hereby authorized is completed, be run to Crawford avenue every twelve minutes or less.

5. *License fee for cars.*] § 5. Said railway company, respecting the license fees which may be imposed on said company, or on the cars operated on the tracks hereby authorized, shall be subject to the provisions of section one of an ordinance, entitled, "An ordinance concerning street railways in the City of Chicago," passed July 30, 1883, and approved by the mayor August 6, 1883.

6. *Time for construction limited.*] 6. § The said tracks hereby authorized on Lake street shall be completed on or before the first day of October, 1886. Provided, however, if said company shall be delayed by the writ or order of any court, in the construction thereof, then suitable time equal to the time of such delay shall be added to the time herein prescribed for the completion of said tracks.

7. *Tracks, etc.*] § 7. The tracks hereby authorized shall be laid with modern improved rails to be approved by the commissioner of public works, and shall not be laid above the surface of the street, and shall be so laid that carriages and other vehicles can easily and freely cross at any and all points and in any and all directions.

8. *When in force.*] § 8. This ordinance shall take effect upon said company filing its acceptance of the same with the city clerk; Provided, such acceptance shall be filed within thirty days from the passage hereof, otherwise this ordinance to be void and of no effect.

(*Special Ordinances, pp. 1370-2.*)

AN ORDINANCE GRANTING PERMISSION TO THE WEST CHICAGO STREET RAILROAD COMPANY TO LAY DOWN, MAINTAIN AND OPERATE A STREET RAILROAD IN CERTAIN STREETS THEREIN MENTIONED. (Passed March 21, 1892. Accepted March 28, 1892.)

Be it Ordained by the City Council of the City of Chicago:

Section 1. That, in consideration of the acceptance hereof and the undertaking of the West Chicago Street Railroad Company to comply with the provisions hereinafter contained, permission and authority are hereby granted and duly vested in said West Chicago Street Railroad Company, its successors and assigns, to lay down, maintain and operate a single or double track street railroad, with all necessary and convenient turn-outs, sidetracks and switches, in and along the course of certain streets in the City of Chicago, hereinafter mentioned, and to connect at any and all street intersections any track or tracks hereby authorized to be laid with the track or tracks of any railroad owned, leased or operated by said company; and to operate upon said street railroad, hereby authorized, railway cars and carriages, in the manner and for the time and upon the conditions hereinafter prescribed.

Sec. 2. The said West Chicago Street Railroad Company is hereby authorized to lay a double track street railroad in and along the course of the following streets: On Ashland avenue, between Blue Island avenue and Twelfth street; and also on said Ashland avenue, between West Lake street and West Erie street; and on Paulina street, between Twelfth street and Lake street; Provided, however, that said railroad company shall pay the cost of

setting the curb back a distance of four (4) feet on both sides of Paulina street, from Madison street to Polk street, and place said street in as good condition and repair as before said curb was removed, whenever it shall be ordered so to do by the commissioner of public works of the City of Chicago; also on Robey street, between Blue Island avenue and Milwaukee avenue; also on Western avenue, between Twenty-sixth street and Twelfth street; and also on Western avenue, between Harrison street and Van Buren street; also on Western avenue, between West Lake street and Milwaukee avenue; *also on Milwaukee avenue, between Armitage avenue and Lawrence avenue*; also on Kedzie avenue, between Twelfth street and West Madison street; also on Colorado avenue, between Madison street and West Forty-eighth street; also on West Chicago avenue, between California avenue and the intersection of Chicago avenue with Grand avenue, and thence on Grand avenue, between the intersection of Grand avenue with Chicago avenue and Crawford avenue; also on Grand avenue, between Indiana street and Chicago avenue; also on Eighteenth street, between State street and Halsted street; also on Fourteenth street, between Canal street and Robey street; also on State street, between Madison street and Washington street, with a single track, connecting said single track with the respective tracks on Madison street and Washington street; Provided, however, that in the event of State street being used the westerly track now laid upon said State street shall be used and no additional tracks shall be laid upon said State street, between Madison and Washington street; also on Dearborn street, between Van Buren street and Adams street, with a single track, connecting said single track with the respective tracks on Van Buren street and on Adams street; Provided, that nothing there-

in contained shall authorize or be held to authorize the occupation of Dearborn street, between Van Buren and Adams streets, with more than two railroad tracks altogether, or to authorize the said West Chicago Street Railway Company to lay down or operate any additional track in said street, between Van Buren and Adams streets, so long as the present two tracks now laid thereon shall remain; Provided, further, that said company shall have the option to first lay a single track on Robey street, between Chicago avenue and North avenue, and that if, at any time during the life of this ordinance, said company shall see fit to lay a double track on said Robey street, between said Chicago avenue and North avenue, said company may do so; but, upon the condition that said company shall, in event of laying such double track, at its sole cost and expense, remove the curb on either side of said Robey street, between the points above mentioned, four feet on either side of said street and pave said four feet space on either side of said street, as well as the space between the tracks, with wooden blocks, the work to be done to the satisfaction of and under the supervision of the commissioner of public works.

Sec. 3. The tracks of said railway shall not be elevated above the surface of the street and shall be constructed with modern improved rails and so laid that vehicles may freely and safely cross the said tracks; and, when two tracks are laid in the same street, the said tracks shall be laid parallel as near as practicable; Provided, however, that the rails to be used on the tracks herein authorized shall only be such as have been first approved by the commissioner of public works, and that the location of the tracks and other apparatus or works in or under the streets, hereby authorized, shall be subject to the direction and approval of the commissioner of public works. Sec-

tion 1509 of the Municipal Code of Chicago of 1881 shall not apply to the railroad tracks herein authorized.

Sec. 4. The said company, as to the part of said street in and upon which its said several railways shall be laid, shall keep eight feet in width where a single track shall be laid and sixteen feet in width where a double track shall be laid in good condition and repair, during all of the time to which the privileges hereby granted shall extend, in accordance with such ordinances or regulations as shall be passed or adopted by the city council in relation to such repairing; and when any new improvements shall be ordered by the city council of said part of said street, said railway company shall, in the manner which may be required of the owners of property fronting on said part of said street, make such new improvement for the width of eight feet where a single track shall be laid, and of sixteen feet where a double track shall be laid, and if said company shall refuse or fail so to do, the same may be done by the city and the company shall be liable to the city for the cost thereof; Provided, however, that said company shall pay the owner or owners of property abutting on streets where such tracks shall be laid the cost of the improvement of eight feet in width where a single track shall be laid, and sixteen feet in width where a double track shall be laid, on all such streets that have been improved within the past year.

Sec. 5. The several railways hereby authorized shall be completed within twelve months after the passage of this ordinance, not counting the months of December, January, February and March; Provided, however, that the tracks hereby authorized to be laid shall be laid in the unimproved streets within six months after the sewer and water pipes and their connections shall have been laid in

such unimproved streets and, at the same time, when the paving shall be done in every such unimproved street; and, provided, further, that if said company shall be delayed, by the order or injunction of any court the time of such delay shall be deducted from the time above prescribed; Provided, however, that counsel for the City of Chicago may intervene in any suit in which any injunction or restraining order may issue or be entered and may move for its dissolution or dismissal.

Sec. 6. The cars to be used upon the tracks hereby authorized may be operated with animal power, or cable or electric power, or with such other practically noiseless motor or power as shall be approved by the mayor and commissioner of public works. In the event of electric power being used, the same shall be placed under ground.

Sec. 7. When said cars shall be operated by cable or electric power, said company may make all needful and convenient curves, trenches, excavations and sewer connections, and may place all needful and convenient cables, wires and conductors for the transmission of electricity and machinery in or along said street; such cables, wires and conductors and machinery to be under ground and constructed in a substantial and workmanlike manner, and under the supervision of the commissioner of public works, so as not to interfere with the public travel; Provided, that if in the construction of said trenches and excavations any damage or injury shall result to any of the sewers, water pipes or private drains or other pipes, conduits or works belonging to or used by the City of Chicago, then said company shall be held liable and pay therefor. If at any time, by reason of the permission hereby granted, and the making of such trenches and the running of such cables, wires and conductors, or the construction or operation of said road, under any system of motive

power, any injury or damage shall result to any person or property, then said company shall be liable therefor. And nothing in this ordinance contained shall be held to authorize the said West Chicago Street Railroad Company, its successors or assigns, to inflict upon or cause to the works of (or) the property of any other company or person any damage or injury without paying therefor, or to revoke any existing rights or privileges of any such company or person. All needful and convenient connections with the motive power or engines shall be subject to the same restrictions. The aperture opening into said trenches, where cable or electric power is used, shall not exceed five-eighths of an inch in width, and, in case said road shall be operated by cable or electric power, said company may operate not exceeding three cars and one grip-car attached together, with one conductor in charge of each car.

Sec. 8. The cars to be used on said several railways shall be of the best style and class now in use; and they shall not be used for any purpose other than to transport passengers and their ordinary baggage and shall be provided, during the months of November, December, January, February and March of each year, with heating apparatus, of a kind and nature which shall be reasonably effective in raising the temperature in said car and heating the same; and the said apparatus shall be operated at such times during the said months aforesaid as the nature of the weather and the degree of temperature shall require.

Sec. 9. The rate of fare for any continuous ride shall not exceed five cents for each passenger, except when the cars or carriages shall be chartered for special purposes; and transfers shall be given on all north and south lines with such connecting or cross lines at such points as shall be agreed upon between the mayor and the said company.

If the mayor and said company can not agree upon the transfers to be given, then any judge of a court of record in Cook County may be asked to adjust such question of difference, and the decision of such judge of a court of record shall be final and binding upon the mayor and said company.

Sec. 10. The said company shall forever indemnify and keep harmless the City of Chicago against and from any and all legal damages, judgments, decrees and costs and expenses of the same which it may suffer, or which may be recovered or obtained against the said city, for or by reason of, or growing (out) of, or resulting from any act or acts of said company, its servants or agents, under or by virtue of the provisions of this ordinance.

Sec. 11. The said West Chicago Street Railroad Company shall pay into the city treasury of the City of Chicago, for the use of said city, the sum of fifty dollars, as an annual license fee, for each and every car used by said company, in the manner following: In computing the number of cars, upon which said license charge may be imposed, thirteen round trips, when the car is used for the transportation of passengers, shall be taken as an equivalent to one day's use of one car; one-thirteenth of such round trips during each quarter shall be divided by the number of days in such quarter, such quotient shall be the number of cars subject to license fee; Provided, however, that such cars shall not already be liable for the payment of a license fee on one of the other lines of this company or its connections. The president or other chief officer of said company shall, under oath, make report quarter yearly to the comptroller of the City of Chicago of the whole number of cars so run by said company and, at the same time, pay to said comptroller twelve dollars and a half (\$12.50) for each car, to be ascertained as above

prescribed in this section. The first quarter shall begin on the first day upon which said company shall run a car or cars on said several railways, for the carriage of passengers.

Sec. 12. The said West Chicago Street Railroad Company shall execute to the City of Chicago a good and sufficient bond in the penal sum of fifty thousand (\$50,000) dollars, to be approved by the mayor, conditioned for the faithful observance and performance of the conditions and provisions of this ordinance, on its part to be performed and observed.

Sec. 13. All of the rights and privileges hereby granted to and conferred upon the said West Chicago Street Railroad Company, its successors and assigns, or intended so to be, shall continue and be in force for the full term and period of twenty years from and after the passage of this ordinance.

Sec. 14. That so much of Section 5, composed of the following words: "Provided, that said company shall also permit its tracks on said Dearborn street to be used by the Chicago City Railway Company," and which said words occur in Section 5 of an ordinance passed March 14th, 1887, granting to the North Chicago Street Railroad Company the right to construct and operate a street railroad on Dearborn street and other streets be and the same is hereby repealed.

Sec. 15. This ordinance shall take effect and be in force from and after its passage and filing of the bond aforesaid and acceptance by said company; Provided, however, that if said bond and acceptance by said company shall not be filed with the city clerk within sixty days after the passage hereof, then all of the rights and privileges herein granted shall be void and of no effect.

(Special Ordinances, pp. 1636-41.)

ORDINANCES VILLAGE OF JEFFERSON.

AN ORDINANCE GRANTING PERMISSION TO THE CHICAGO WEST DIVISION RAILWAY COMPANY THROUGH CERTAIN PARTS OF THE VILLAGE OF JEFFERSON. (Passed and approved January 28, 1878.)

Be it Ordained by the President and Board of Trustees of the Village of Jefferson:

1. *Milwaukee avenue and Armitage road extension.*]

§ 1. That permission and authority is hereby granted to the Chicago West Division Railway Company, its successors and assigns, to construct, maintain and operate a single or double track street railway, with all necessary and convenient side tracks, switches and turn tables, in Milwaukee avenue and Armitage road, in said Village of Jefferson, from the city limits to North Washtenaw street.

2. *Passenger traffic only.*] § 2. The cars to be used upon said tracks are to be used only to transport passengers and their ordinary baggage, and the cars used for that purpose shall be of the best style and class in use on street railways. The tracks on said railway shall not be elevated above the surface of the street, and shall be laid with modern improved rails, and so that carriages and vehicles can readily and freely cross said tracks at any point without unnecessary obstruction, and any damage to private property by the construction and use of said tracks shall be paid by the said Chicago West Division Railway Company.

3. *Street improvements and repairs.*] § 3. The said Chicago West Division Railway Company, its successors and assigns, shall keep eight feet in width, if a single

track is laid, and sixteen feet, if a double track is laid, occupied by said tracks respectively of said streets, in good order and condition during the whole term said streets shall be occupied by said tracks.

4. *Fare, five cents, etc.*] § 4. The rate of fare for any distance on said tracks shall not exceed five cents, except when the cars or carriages shall be chartered for a special purpose.

5. *Animal power only.*] § 5. The cars to be used upon said tracks shall be operated with animal power only.

6. *Term of the grant.*] § 6. The rights and privileges hereby granted shall continue for the term of eighty-one years from the passage and approval of this ordinance.

7. *Repealing clause.*] § 7. All ordinances, or parts of ordinances, in conflict with this, are hereby repealed.

(Special Ordinances, p. 1346.)

AN ORDINANCE GRANTING PERMISSION TO THE CHICAGO WEST DIVISION RAILWAY COMPANY THROUGH CERTAIN STREETS IN THE VILLAGE OF JEFFERSON. (Approved June 30, 1883.)

Be it Ordained by the President and Board of Trustees of the Village of Jefferson:

SECTION 1. That in consideration of the acceptance hereof and the undertaking of the Chicago West Division Railway Company to comply with the provisions hereof, authority and consent are hereby given, granted and duly vested in said company, its successors and assigns, to construct, operate and maintain a single or double track railway, with all necessary turn-outs, side-tracks, switches and curves, in, upon and along Armitage road, from North Washtenaw street to west line of California avenue, south along California avenue to its intersection with North avenue tracks, and to operate the same in connection with the railway in said Armitage road and North avenue.

SEC. 2. The tracks of such railway shall be so laid that carriages and other vehicles can easily and freely cross said tracks without unnecessary obstruction, and the cars to be used upon said tracks are for the transportation of passengers, together with their ordinary baggage, and of the same style and class as those in use on the connecting railway lines.

SEC. 3. The said Chicago West Division Railway Company, its successors and assigns, shall keep eight feet in width where a single track is laid, and sixteen feet where a double track is laid, and occupied by said tracks respectively of said streets, in good order and repair dur-

ing the whole term the said streets shall be occupied by said tracks, and authority is hereby given to said company to pave and keep in repair with stone the railway herein mentioned; Provided, however, and the permission and authority hereby granted are upon the express condition, that if a single track is laid through said Armitage road and California avenue it shall be so laid and constructed as to be north of the center line of Armitage road and east of the center line of California avenue, under the supervision and to the satisfaction of the village engineer.

SEC. 4. The tracks hereby authorized shall be deemed an extension of the tracks already laid and operated by said company on Armitage avenue and North avenue, and no additional fare shall be charged over the lines so extended by virtue of this ordinance.

SEC. 5. The rights and privileges hereby granted shall continue for the term of twenty years from the passage and approval of this ordinance.

SEC. 6. This ordinance shall be in force on and after its passage and acceptance by said railway company.

(Special Ordinances, pp. 1362-3.)

CITY ORDINANCES RELATING TO CHANGE
OF MOTIVE POWER.

AN ORDINANCE GRANTING PERMISSION TO THE CHICAGO
WEST DIVISION RAILWAY COMPANY TO OPERATE BY
ELECTRIC OR CABLE POWER. (Passed March 30, 1888.
Accepted April 21, 1888.)

*Be it Ordained by the City Council of the City of
Chicago:*

1. *Other than animal power authorized.]* § 1. That in consideration of the acceptance hereof, and the undertaking of the Chicago West Division Railway Company, its lessees and assigns, to comply with the provisions herein contained, permission and authority is hereby given to said company, its lessees or assigns, to construct, maintain and operate its various lines of railways, or any of them, or any part thereof, by electric power or by stationary engines not located on the public streets or public places on the streets, and propelled by other than animal power, and to connect its tracks with other street railroads. Nothing in this section or ordinance contained shall authorize the Chicago West Division Railway Company, its lessees or assigns, to construct any electric or cable system upon any street or streets that the city council of the City of Chicago has not authorized to be used by said Chicago West Division Railway Company, for street railway purposes, and not lost by non-user or forfeiture.

2. *Cable road may be put in and operated.]* § 2. That the said Chicago West Division Railway Company, its lessees or assigns, may, for the purpose of a cable road, make all needful and convenient trenches, excavations

and sewer connections, and may place all needful and convenient cables and machinery on any streets upon which its railways are now constructed or authorized by ordinance to be constructed; such cables and machinery shall be underground, and constructed in a substantial and workmanlike manner, of the most approved method and convenience so as not to interfere with public travel. Provided, that if in constructing said trenches and excavations or using the same, any damage or injury shall result to any of the sewers, water pipes, or private drains, then the said company shall be held liable therefor; and if at any time, by reason of the permission hereby granted and the making of said trenches, or running said cables, any injury or damage shall result to any person or property, then said company shall be held liable therefor; and said company shall pay all damages to owners of property abutting upon roads, streets, highways or public property upon or over which its said road is to be constructed and operated, which said owners may sustain by reason of the location, construction or operation of said company's roads. All needful and convenient connections with the motive power or engines shall be subject to the same conditions and restrictions; provided, further, that the aperture opening into said trenches shall not exceed five-eighths of an inch in width; and, provided, further, that said company may operate not to exceed two cars and one grappling car attached together, with one driver in charge of the grip car and one conductor in charge of each additional car.

3. *Tracks—how constructed.*] § 3. The tracks of said railway shall not be elevated in said streets above the surface of the streets and shall be laid with modern improved rails in such manner that carriages and other vehicles can easily and freely cross the same at all points

and in all directions without obstruction. The rails to be used in the construction of said track shall be satisfactory to the mayor and commissioner of public works. Each of said tracks shall be laid as near the center of said street as practicable, and shall not be laid within twelve (12) feet of the sidewalk in any place, except in turning street corners or constructing curves, and there no nearer than may be required to make the necessary curve; and the cars to be constructed with all the latest improvements for the comfort and convenience of passengers, and shall be used for no other purpose than for the transportation of passengers. Animal power may be used to move the cars.

4. *Speed may be regulated.*] § 4. The city council shall have power at all times to make such regulations as to the rate of speed on said streets, as the public safety and convenience may require.

5. *License fee for cars.*] § 5. The said Chicago West Division Railway Company shall pay into the city treasury of said city, the sum of fifty (\$50) dollars as a license fee for each and every car used by said company on the railways hereby authorized, which has not been included for license fees for use on other lines. The number of cars upon which license shall be imposed shall be determined, and the license fee paid in the same manner as provided in an ordinance entitled, "An ordinance concerning street railways in the City of Chicago," passed July 30, 1883, and approved by the mayor August 6, 1883.

6. *Tracks, when to be removed.*] § 6. When the right of said company to operate its said railway upon said streets shall cease, said company shall remove its tracks from the same and place the same in as good condition as when said tracks were laid.

7. *Bond to perform.*] § 7. The Chicago West Division Railway Company shall enter into a good and sufficient bond with the City of Chicago in the penal sum of one hundred thousand dollars (\$100,000), for the faithful performance of all the terms and conditions of this ordinance contained.

8. *Indemnity required.*] § 8. The said company shall forever indemnify and save harmless the City of Chicago against and from any and all legal damages, judgments, decrees and costs and expenses of the same which it may suffer, or which may be recovered or obtained against said city, for or by reason of the granting of such privileges, or for or by reason of, or growing out of, or resulting from the passage of this ordinance, or any matter or thing connected therewith, or with the exercise by said company of the privileges hereby granted, or from any acts of said company, its servants or agents, under or by virtue of the provisions of this ordinance.

9. *Prior ordinances to control, when.*] § 9. This permission and authority hereby conferred, are given upon the express understanding and agreement that the provisions of this ordinance shall and do not extend the time during which the said Chicago West Division Railway Company may operate its lines upon the streets of Chicago. The said privileges are to be governed in this respect by ordinances heretofore passed.

10. *Subject to general ordinances.*] § 10. Unless otherwise provided in this ordinance, the privileges hereby granted are subject to all the general ordinances of the City of Chicago, now in force, or which may be passed in reference to street railways.

11. *Car heating, etc.*] § 11. The said company shall also provide upon all lines operated under this ordinance,

cars of the most modern, approved fashion, of a kind equal to the best cars in use upon any cable road now in operation, and said company shall provide the best and most approved method for heating said cars, so that the same shall be kept properly heated at all times during cold weather.

12. *When to take effect.*] § 12. This ordinance shall take effect and be in force as soon as the same shall have been duly accepted by said company, and the said company shall have executed and filed with the city clerk, the bond provided for herein in the manner and form as hereinbefore required; Provided, however, that unless this ordinance shall be duly accepted and said bond executed and filed within thirty (30) days of the passage hereof, this ordinance shall be null and void.

(Special Ordinances, pp. 1372-4.)

AN ORDINANCE AUTHORIZING AND EMPOWERING THE WEST CHICAGO STREET RAILROAD COMPANY AND THE NORTH CHICAGO STREET RAILROAD COMPANY TO OPERATE THEIR SEVERAL RAILROADS BY CERTAIN MOTORS OR MOTIVE POWERS THEREIN NAMED. (Passed March 21, 1892. Accepted by West Chicago Street Railroad Company March 28, 1892. Accepted by North Chicago Street Railroad Company April 6, 1892.)

Be it Ordained by the City Council of the City of Chicago:

Section 1. That, in consideration of the acceptance hereof and the undertaking by the West Chicago Street Railroad Company, as well as the North Chicago Street Railroad Company, to comply with the provisions and conditions herein contained, permission and authority are hereby granted unto the West Chicago Street Railroad Company and, also, unto the North Chicago Street Railroad Company, and to their respective successors and assigns, to operate hereafter their several and respective lines of street railroads—whether owned or leased—or any of said lines, or any part thereof, in the City of Chicago, by Belgian pattern, compressed air, gas, electric or any motor or motive power which said companies, or either of them, shall see fit to adopt and use; Provided, however, that such motor or motive power shall be practically noiseless, and, before using, shall be approved by the mayor and commissioner of public works. In the event of electric power being used, the same shall be placed under ground, and its method of construction shall first be approved by the commissioner of public works.

Sec. 2. The permission and authority hereby granted

shall attach and may be exercised by said companies, or either of them, at any time after the passage and acceptance of this ordinance; and the permission and authority hereby granted shall continue during the entire unexpired terms of the several ordinances granting to said respective companies the right to operate street railroads in the City of Chicago.

Sec. 3. This ordinance shall take effect and be in force from and after its passage and acceptance by the said companies, or either of them; and the said acceptance or acceptances shall be filed with the city clerk within thirty days after the passage hereof, otherwise said ordinance shall be void as to the company failing to file such acceptance.

(*Special Ordinances*, p. 1631.)

AN ORDINANCE AMENDING AN ORDINANCE PASSED MARCH 21, 1892, AUTHORIZING AND EMPOWERING THE WEST CHICAGO STREET RAILROAD COMPANY AND THE NORTH CHICAGO STREET RAILROAD COMPANY TO OPERATE THEIR SEVERAL RAILROADS BY CERTAIN MOTORS OR MOTIVE POWERS THEREIN NAMED. (Passed April 30, 1894. Accepted by North Chicago Street Railroad Company and West Chicago Street Railroad Company May 14, 1894.)

Be it Ordained by the City Council of the City of Chicago:

Section 1. That Section 1 of an ordinance passed by the city council of the City of Chicago March 1, 1892, authorizing and empowering the West Chicago Street Railroad Company and the North Chicago Street Railroad Company to operate their several railroads by certain motors or motive powers, therein named, be and said Section 1 of said ordinance is hereby amended by striking out the words "Belgian pattern" and, also, the word "gas" in the enumeration of said motors and motive powers, and, also, by striking out the last clause in said Section 1, which reads as follows: "In event of electric power being used, the same shall be placed under ground and its method of construction shall first be approved by the commissioner of public works"; and substituting in place of said clause and adding to said Section 1 the following: If electric power shall be used by means of overhead contact wires, such overhead wires, together with the necessary feed wires, may be suspended from poles set within the curb limits of the street on either side thereof, or from bracket poles placed in the center of the street along such line or route, the

placing of said poles to be determined by the mayor and commissioner of public works, and said poles to be of ornamental iron or steel and of such construction and design as the mayor and commissioner of public works may approve. Said poles and feeder wires shall be suspended not less than eighteen and a half ($18\frac{1}{2}$) feet above the rails, and the said poles and supports shall be placed on an average of not less than one hundred and fifteen (115) feet apart. No poles shall be set at the intersection of streets and alleys. Such poles and wires to be erected and maintained for the purpose of supplying electric current which can be used for power, heat and light purposes; and, with the right to connect the wires herein authorized with the generator or power station or any station or car house in connection with said railroad or railroads, or with any power house or station along any line or lines of railroad of said companies, or either of them, used by either in connection with its cable, horse or electric system; and said companies may convey said wires from such power house or station to the lines of wires hereby authorized upon poles placed upon or along the alleys of the city, or, whenever in the judgment of the commissioner of public works it shall be impracticable to place such poles in alleys, he may, for the purpose above mentioned, permit to be placed in streets ornamental iron or steel poles of such design and construction as he may approve; or said companies may, if the mayor and commissioner of public works consent thereto, convey said connecting wires in an underground conduit through the streets or alleys of the City of Chicago, which conduit shall be used by the companies for the purpose herein set forth only. Before making any excavation or in any wise interfering with the surface of any street or alley said companies shall obtain from

the commissioner of public works a permit therefor and shall, also, deposit with the treasurer of the City of Chicago a sum sufficient to cover the cost of restoring such street or alley according to an estimate of the probable cost thereof to be made by the commissioner of public works in each case; Provided, however, that no overhead contact wires shall be erected on any of the lines of the said North Chicago Street Railroad Company or the West Chicago Street Railroad Company, or any lines owned or leased by the said companies hereinbefore named which are located in the district bounded by the Chicago river on the north, the south branch of the Chicago river on the west, Lake Michigan on the east, and the north side of Twelfth street on the south; and, provided further, that no overhead contact wires shall be located on that part of any street or streets where the said North Chicago Street Railroad Company or the West Chicago Street Railroad Company, or any railroad owned or leased by said companies hereinbefore named, are now operating its railroad by cable power, nor upon any street where an elevated railroad is now constructed, and all wires and conductors for the transmission of electricity in and along the street shall be constructed in a substantial and workmanlike manner, and under the supervision of the commissioner of public works, so as to interfere as little as possible with the public travel. The permission and authority hereby granted shall continue during the entire unexpired terms of the several ordinances granting to said respective companies the right to operate street railroads in the City of Chicago; Provided further, that said railroad companies shall carry free of charge on all cars operated by them the city police and firemen.

Sec. 2. That said ordinance of March 21, 1892, be, and the same is further amended, by adding to said ordinance the following sections, to be known as sections 4, 5 and 6 of said ordinance, to wit:

Sec. 4. Said companies shall establish and maintain a metallic return circuit conductor, independent of their rails, upon all the lines of street railroad hereby authorized to be operated by electric overhead contact wires. Wherever other lines of wires cross the wires, to be strung by virtue of this ordinance, the latter wires shall be protected by guard wires or other suitable mechanical device as may be directed by the commissioner of public works.

Sec. 5. Each of said companies shall forever indemnify and save harmless the City of Chicago against and from any and all damages, judgments, decrees and costs and expenses which said city may suffer, or which may be recoverable or obtained against said city, for or by reason of the granting of the privileges hereby conferred upon them respectively, or for or by reason of, or growing out of, or resulting from the exercise by said companies, respectively, of the privileges hereby granted, or from any act or acts of said companies, respectively, their servants or agents, under or by virtue of the provisions of this ordinance, and each of said companies shall, within the time limited for the acceptance of this ordinance, file with the city clerk a bond to the City of Chicago in the penal sum of fifty thousand dollars (\$50,000), with sureties to be approved by the mayor of the City of Chicago, conditioned upon the faithful performance and observance by said companies, respectively, of all the conditions and provisions of this ordinance.

Sec. 6. That, for and in consideration of the privi-

leges herein granted by the City of Chicago to said companies, the said North Chicago Street Railroad Company and the said West Chicago Street Railroad Company agree to jointly pay to the City of Chicago the sum of ten thousand dollars (\$10,000) at the expiration of the first year after the passage of this ordinance; the sum of fifteen thousand dollars (\$15,000) at the expiration of the second year after the passage of this ordinance; the sum of twenty thousand dollars (\$20,000) at the expiration of the third year after the passage of this ordinance, and the sum of twenty-five thousand dollars (\$25,000) at the expiration of the fourth year; and, also, at the expiration of every following year, after the passage of this ordinance, said sums to be used by the City of Chicago for extending its electric light system; and,

Whereas, judgments for land damages, occasioned by the erection of the Dearborn street bridge and the building of the Dearborn street viaduct have been recovered against the City of Chicago, in the amounts and at the dates hereinafter enumerated; and,

Whereas, the City of Chicago claims that the North Chicago Street Railroad Company is liable to hold the said city harmless against said judgments, which claim, however, is denied by said company; now, therefore, in consideration of the privileges of this ordinance conferred upon the said North Chicago Street Railroad Company, it agrees to pay to the City of Chicago, within thirty (30) days after the passage of this ordinance, the amount of said various judgments with the legal rate of interest from the time of the recovery of the same respectively. Said judgments are as follows: A judgment in favor of one Williams for \$20,000, recovered October 30, 1891, in the Circuit Court of Cook County; a judg-

ment in favor of one Espert for \$4,000, recovered on July 6, 1891, in the Circuit Court of Cook County; a judgment in favor of one Sawyer for \$1,400, recovered December 7, 1889, in the Circuit Court of Cook County; a judgment in favor of one Maltman for \$726, recovered on April 24, 1889, in the Superior Court of Cook County; a judgment in favor of one Pirtle for \$4,000, recovered on January 11, 1892, in the United States Circuit Court. And the West Chicago Street Railroad Company, in consideration of the privileges conferred by this ordinance upon it, by the acceptance of this ordinance, shall be held to have agreed to guarantee the payment by the said North Chicago Street Railroad Company to the City of Chicago of the amounts of said several judgments, with legal interest as above provided.

Sec. 3. This ordinance shall take effect and be in force as to both of said companies and all lines operated by them, whether leased or owned by them, from and after its passage and acceptance and the filing of the bond hereinabove provided within thirty days after the passage thereof; otherwise this ordinance shall be void as to the company failing to file such acceptance and bond.

(Special Ordinances, pp. 1631-5.)

AN ORDINANCE AMENDING SECTION I OF AN ORDINANCE PASSED APRIL 30, 1894, AMENDING AN ORDINANCE PASSED MARCH 21, 1892, AUTHORIZING AND EMPOWERING THE WEST CHICAGO STREET RAILROAD COMPANY AND THE NORTH CHICAGO STREET RAILROAD COMPANY TO OPERATE THEIR SEVERAL RAILROADS BY CERTAIN MOTORS OR MOTIVE POWERS THEREIN NAMED. (Passed May 7, 1894. Accepted by the North Chicago Street Railroad Company and the West Chicago Street Railroad Company June 5, 1894.)

Be it Ordained by the City Council of the City of Chicago:

Section 1. That Section I of an ordinance passed by the city council of the City of Chicago April 30, 1894, amending an ordinance passed by the city council of the City of Chicago March 21, 1892, be and the said Section I of said amendatory ordinance is hereby amended by striking out the following words, "nor upon any street where an elevated railroad is now constructed," said words occurring between the word "power" and the word "and" in said Section I of said amendatory ordinance.

Sec. 2. This ordinance shall be in force from and after its passage.

(Special Ordinances, p. 1635.)

AN ORDINANCE AMENDING SECTION I OF AN ORDINANCE PASSED APRIL 30, 1894, AMENDING AN ORDINANCE PASSED MARCH 21, 1892, AUTHORIZING AND EMPowering THE WEST CHICAGO STREET RAILROAD COMPANY AND THE NORTH CHICAGO STREET RAILROAD COMPANY TO OPERATE THEIR SEVERAL RAILROADS BY CERTAIN MOTORS OR MOTIVE POWERS THEREIN NAMED. (Passed May 7, 1894.)

Be it Ordained by the City Council of the City of Chicago:

Section 1. That Section I of an ordinance passed by the city council of the City of Chicago April 30, 1894, amendatory of an ordinance of March 21, 1892, be and the same is hereby amended by adding the words "in uniform" at the end of the last proviso in said Section I of said amendatory ordinance, so that said proviso shall read as follows: "Provided, further, that said railroad companies shall carry free of charge on all cars operated by them the city police and firemen in uniform."

Sec. 2. This ordinance shall be in force from and after its passage.

(*Special Ordinances*, p. 1635.)

AN ORDINANCE AUTHORIZING THE WEST CHICAGO STREET RAILROAD COMPANY TO LAY TRACKS ON WEST HARRISON STREET, TWENTY-SIXTH STREET, AND OTHER STREETS IN THE CITY OF CHICAGO. (Passed February 4, 1895. Accepted March 2, 1895.)

Be it Ordained by the City Council of the City of Chicago:

Section 1. In consideration of the acceptance hereof, and the undertaking by the West Chicago Street Railroad Company to comply with the provisions herein contained, permission and authority are hereby granted to the said West Chicago Street Railroad Company, its successors and assigns, to lay down, maintain and operate a single or double track street railroad with all the necessary and convenient turn-outs, side-tracks and switches, in, along and across certain streets in the City of Chicago herein-after mentioned, and to connect at any and all street intersections any track or tracks hereby authorized to be laid, with the track or tracks of any railroad owned, leased or operated by said company; and also permission to connect the tracks located at the intersection of State street with Lake street, and operated by the West Chicago Street Railroad Company, with the tracks at said intersection belonging to the North Chicago Street Railroad Company; and, also, permission to construct in State street, between Lake street and Randolph street overhead electric wires, and to operate its cars in said State street, between said points, by electric power.

Sec. 2. Said West Chicago Street Railroad Company is hereby authorized to lay a single or double track street railroad in, along and across all the following streets: In and along West Harrison street, between Western ave-

nue and Kedzie avenue; and, also, in and along Twenty-sixth street, between Blue Island avenue and Crawford avenue; and also in and along Wood street and North Wood street, from Blue Island avenue to Milwaukee avenue; and in and along North Lincoln street to Webster avenue; and, also, in and along Laurel street, between Thirty-ninth street and Thirty-first street, and thence easterly in and along Thirty-first street to Main street, and thence in and along Main street northwesterly and across the bridge, over the south branch of the Chicago river to Throop street; and also in and along Throop street, between West Twenty-first street and West Taylor street; also connecting the road terminating at the south end of Throop street with the road beginning at Twenty-first street and Throop street by constructing or operating over, along and across such lots, blocks, grounds, public highways or tracks now laid, as it may have or acquire by lease, contract, purchase, condemnation or otherwise, according to law, said connection to be made within three hundred and fifty feet (350) easterly or westerly of the center line of said Throop street, between the northerly end of Main street and the north side of West Twenty-first street; and also in and along Sangamon street, between Austin avenue and Erie street, and thence easterly in and along West Erie street to the east bank of the north branch of the Chicago river; and in and along Twenty-first street, between Western avenue and Douglas boulevard; and also in and along West Twenty-first street between Center avenue and Halsted street.

* * * * *

(Secs. 3 to 11 inclusive relate to new lines authorized by Sec. 1.)

Sec. 12. Permission and authority are also hereby

granted to said company to operate its electric cars by overhead contact wires over and along any part or parts of connect its electric line in any street with its electric line in any other street. This permission is granted merely and only for the purpose of enabling the said company to use its cable tracks for making a circuit or perfecting a line or route which shall require the cars to use the cable tracks in making a proper and direct connection, and shall not be suffered or permitted to be so construed as to permit the use of cable tracks by electric cars in any way or manner which will tend to supersede the use of cable cars or lines by electricity.

It is also expressly understood and declared that before any cable tracks shall be used by said company for the operation thereon of electric cars it shall file with the commissioner of public works a plan showing specifically the line of cable tracks which it is intended to use by means of electrical appliances, and from and in connection with which it must appear that such use of cable tracks by electrical appliances is not intended to and will not have the effect to supersede or interfere with the full use of such cable tracks by cable cars by the substitution of electric cars therefor and thereon.

It is further understood and declared that no overhead wires shall at any time be erected or run over the cable tracks located in any streets or parts of streets within the district bounded by the Chicago river on the north, and the south branch of the Chicago river on the west.

Sec. 13. Permission and authority are also hereby granted to said company to place and attach overhead wires to and beneath any elevated railroad structure in any street where said company shall operate an electric railroad, upon obtaining consent from the elevated rail-

road company to attach such overhead wires; and to construct and operate over and across any bridge or bridges and to the end of the farther approach to such bridge or bridges, any electric line of street railroad, in any street leading to any such bridge or bridges.

Sec. 14. All the rights and privileges hereby granted to and conferred upon the said West Chicago Street Railroad Company, its successors and assigns, or intended so to be, shall continue and be in force for the full term and period of twenty (20) years from and after the passage of this ordinance. But it is expressly understood and declared that none of the provisions of this ordinance shall be construed or operate to in any manner extend the life or term of any of the existing ordinances in which the said West Chicago Street Railroad Company is in any manner interested.

- Sec. 15. That for and in consideration of the privileges herein granted by the City of Chicago to said company the said West Chicago Street Railroad Company hereby undertakes and agrees to pay to the City of Chicago the sum of five thousand dollars (\$5,000) per annum, at the expiration of each and every year during the continuance of the time for which the privileges herein granted are authorized to be exercised; and the exercise by said company of any of the privileges hereby granted shall fix the liability of said company to pay said sums of money annually during the whole of said term; said sums of money to be used by the City of Chicago for extending its electric light system.

Sec. 16. This ordinance shall take effect and be in force from and after its passage and acceptance, and the filing of the bond hereinabove provided for, within thirty (30) days after the passage thereof, otherwise this ordinance shall be void and of no effect.

(*Special Ordinances*, pp. 1649-55.)

AN ORDINANCE GRANTING PERMISSION TO THE WEST CHICAGO STREET RAILROAD COMPANY TO CONSTRUCT AND OPERATE A STREET RAILWAY IN CERTAIN STREETS THEREIN NAMED. (Passed July 27, 1896. Accepted August 1, 1896.)

Be it Ordained by the City Council of the City of Chicago:

Section 1. In consideration of the acceptance hereof, and the undertaking by the West Chicago Street Railroad Company to comply with the provisions herein contained, permission and authority are hereby granted to the said West Chicago Street Railroad Company, its successors and assigns, to lay down, maintain and operate a single or double track street railroad, with all the necessary and convenient turn-outs, side-tracks and switches in, along and across certain streets in the City of Chicago hereinafter mentioned, and to connect at any and all street intersections any track or tracks, hereby authorized to be laid, with the track or tracks of any railroad owned, leased or operated by said company, or any other company.

Sec. 2. Said West Chicago Street Railroad Company is hereby authorized to lay a single or double track street railroad in, along and across all the following streets: In and along California avenue, between the south line of Ogden avenue and the north line of Kinzie street; and between the north line of North avenue and the south line of Division street, and between the south line of Armitage avenue and the north line of Belmont avenue; and also in and along Kedzie avenue, between the south line of Madison street and the north line of Chicago avenue; and also in and along Kedzie avenue, between the

north line of Twelfth street and the southerly line of Ogden avenue; also in and along Armitage avenue, between the northeasterly line of Elston avenue and the southwesterly line of Milwaukee avenue; and also in and along Ashland avenue, between the northwesterly line of Blue Island avenue and the south line of Thirty-first street; and also in and along Augusta street, between the easterly line of Elston avenue and the westerly line of Crawford avenue; and also in and along Robey street, from the present terminus at North avenue to Elston avenue.

Provided, however, in case any other street railroad company has been heretofore given the right, by ordinance, to lay tracks upon any of the streets covered by this ordinance, which right has not been forfeited by lapse of time, then as to so much of said streets as is covered by any such prior ordinance or ordinances, the rights and privileges granted by this ordinance shall be void and of no effect, and said West Chicago Street Railroad Company shall not have the right to lay any additional tracks on such portions of said streets.

* * * * *

(Secs. 3 to 10 inclusive relate to new lines authorized by Sec. 1.)

Sec. 11. All rights and privileges hereby granted to and conferred upon the said West Chicago Street Railroad Company, its successors and assigns, or intended so to be, shall continue and be in force for the full term and period of twenty years from and after the passage of this ordinance.

Sec. 12. And permission and authority are also hereby granted to said company to operate its electric cars over and along any part or parts of its cable or other tracks, or tracks of other companies, upon obtaining con-

sent of such other companies (which is hereby authorized and permitted) as may be necessary in order to connect the electric line in any street with the electric line in any other street; and to place and attach overhead wires to and beneath any elevated railroad structure in any street where said company shall operate an electric railway, upon obtaining consent from the elevated railroad company to attach such overhead wires; and to construct and operate over and across any bridge or viaduct and to the end of the farther approach to such bridge or viaduct, any electric line of street railroad in any street leading to any such bridge or viaduct.

Provided, however, that nothing in this section contained shall be construed as an extension of existing rights and privileges heretofore granted to said company or to any other company to lay, maintain and operate street railway tracks in any public streets of the City of Chicago, and that this ordinance shall not authorize the substitution of an overhead trolley line for any portion of the cable system of said company, nor authorize the installation and use of an overhead trolley system in any part of the south division of said City of Chicago.

Sec. 13. This ordinance shall take effect and be in force from and after its passage and filing of the bond aforesaid and acceptance by said company; Provided, however, that if said bond and acceptance by said company shall not be filed with the city clerk within sixty days after the passage hereof then all of the rights and privileges herein granted shall be void and of no effect.

(Special Ordinances, pp. 1661-6.)

AN ORDINANCE AUTHORIZING THE NORTH CHICAGO STREET RAILROAD COMPANY AND THE WEST CHICAGO STREET RAILROAD COMPANY TO SUBSTITUTE ELECTRICITY AS THE MOTIVE POWER ON ALL LINES OPERATED IN THE SOUTH DIVISION. (Passed July 27, 1896. Accepted by each company August 1, 1896.)

Be it Ordained by the City Council of the City of Chicago:

Section 1. That in consideration of the acceptance hereof and the undertaking by the North Chicago Street Railroad Company and the West Chicago Street Railroad Company, their successors and assigns, respectively, to comply with the provisions herein contained, permission and authority are hereby granted to the said companies respectively, and their successors and assigns, to use and operate their respective railway lines with electricity as a motive power, in and along each and all of the streets and avenues in the south division of the City of Chicago; that is to say: To the North Chicago Street Railroad Company permission and authority are hereby given to use electricity as a motive power for the operation of its cars in and along each and all of the streets and avenues in and along which the said company last named is now operating a street railroad by horse power, and to the same extent; and to the said West Chicago Street Railroad Company like permission and authority to operate its cars in and along each and all the streets and avenues in and along which the said last named company is now operating a street railway by horse power, and to the same extent. It being intended by this section to grant unto each of said corporations permission and authority to change its motive power from

horse power and to substitute therefor electricity in and along each and all streets and avenues in the south division of the City of Chicago south of the main branch of the Chicago river and east of the south branch of said river, in which the said corporation or either of them are now operating a street railway by horse power.

Provided, That the permission and authority hereby granted to the above-named companies shall not be construed as granting permission or authority to the said companies to operate any cars with electric overhead contact wires upon any portion of Washington street east of the south branch of the Chicago river, nor upon any street in the south division of the City of Chicago east of Fifth avenue, south of Lake street and north of Van Buren street, excepting that permission and authority are hereby granted to the North Chicago Street Railroad Company to use electric overhead contact wires upon that portion of Clark street lying between the Chicago river and Washington street, and excepting also that permission and authority are granted to the North Chicago Street Railroad Company and the West Chicago Street Railroad Company to use electric overhead contact wires upon that portion of State street lying between Randolph street and Lake street, and upon that portion of Randolph street lying between Dearborn street and State street, and upon that portion of Dearborn street lying between Randolph street and Lake street.

Sec. 2. The construction of said electric lines shall be the same as those now on Clark street, south of Washington street, or as shall be directed by the mayor and commissioner of public works of the City of Chicago. If the electric power used shall be by means of overhead contact wires suspended from poles, then, and in such

case all such overhead contact wires shall be suspended from poles set within the curb limit of the street on either side thereof; and all poles shall be set and adjusted as to obstruct the public use of the street and sidewalks as little as possible. The wires shall be suspended not less than eighteen and one-half feet above the rails, and the said poles authorized shall be placed on an average of not less than one hundred and fifteen feet apart, except at the intersection of streets and avenues, when said poles or supports shall be placed at the intersection of streets and avenues.

Sec. 3. For the purposes aforesaid the said railroad companies respectively are hereby authorized to construct and relay all necessary tracks, and to make all needful and convenient curves, switches and turn-outs, and should an underground system be adopted, to make all needful and convenient excavations, trenches and sewer connections, and may place all needful and convenient poles, wires and appliances in the said several streets and avenues, and wherever any railway line is located underneath any elevated railroad structure to attach to the said structure all needful and necessary wires and other appliances for the purpose of operating the said railroad line; Provided, however, that before using the said structure for the purposes aforesaid the consent in writing of the proper officers of the said elevated railroad company shall be first obtained.

Sec. 4. The said companies shall forever indemnify and save harmless the City of Chicago against and from any and all damages, judgments, decrees and costs and expenses which it may suffer, or which may be recoverable or obtained against said city for or by reason of, or growing out of, or resulting from the exercise by said companies, or either of them, of the privileges hereby

granted, and from any act or acts of said companies, or either of them, or their servants or agents, under or by virtue of the provisions of this ordinance.

Sec. 5. The permission and authority hereby granted shall continue during the entire unexpired term of the several ordinances granting to said respective companies the right to operate street railroads in the City of Chicago.

Sec. 6. The North Chicago Street Railroad Company and the West Chicago Street Railroad Company shall respectively execute to the City of Chicago a good and sufficient bond in the penal sum of twenty-five thousand (\$25,000) dollars for the faithful observance and performance of the provisions and conditions of this ordinance, on its part to be observed and performed as aforesaid.

Sec. 7. This ordinance shall take effect and be in force as soon as the said North Chicago Street Railroad Company and the said West Chicago Street Railroad Company shall file with the city clerk its formal acceptance of the same, and the bond as hereinabove prescribed; Provided, however, that if said acceptance and bond shall not be filed, as aforesaid, within sixty days from the passage of this ordinance, this ordinance shall be void and of no effect as to such company which shall be in default.

Provided, that the said companies shall pay to the treasurer of the City of Chicago, for the use of the said city, the sum of seventy-five thousand (\$75,000) dollars within sixty days from the passage of this ordinance, and that until the said payment shall be made none of the provisions of this ordinance shall be in force or effect.

(*Special Ordinances*, pp. 1525-8.)

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